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The
American Historical Review

THE MEETING OF THE AMERICAN HISTORICAL
ASSOCIATION AT BUFFALO AND ITHACA

NO large city except Pittsburgh is so nearly central as Buffalo to the membership of the American Historical Association. Yet the registered attendance at the twenty-seventh annual meeting of the American Historical Association held there on December 27 and subsequent days was less than that which has been usual in recent years, only 214 in fact; but there seemed to be an unusual number of the older members present.

Apart from large attendance, which increases the social pleasure of the members, the chief elements of a successful meeting of the Association are a good programme, a good hotel, with meeting places therein or near at hand, and good weather. Philosophically minded historians may disdain to speak of the weather; as a topic of conversation it is little esteemed; the wisdom of the ancient Egyptians and Babylonians may have arisen solely from their having no weather to speak of. But in the northernmost parts of the United States and in the last days of December the weather has its importance. Gales from Lake Erie prevailed, and transit to meeting places remote from headquarters was not always agreeable; but in the main the weather was bright, and most sessions were held in the headquarters hotel, the Hotel Statler, spacious, convenient, comfortable, and with excellent service. Exceptional meetings at some distance were due to the hospitality of the Buffalo Historical Society, in whose handsome building a luncheon was served, and of the Albright Art Gallery. Other hospitalities, deserving of warm commemoration, were the afternoon receptions by the Women Teachers' Association of Buffalo and the Twentieth Century Club, and the "smokers" offered by the University Club and the Buffalo Club.

The programme proved to be excellent. At first sight it was

evidently composed of the younger element in the Association. But any of the elders who have entertained the opinion that the younger element, however gifted or well trained in research, was indifferent to matters of form and presentation, must have been agreeably surprised at the high level of excellence in all these respects attained by most of those who spoke on the present occasion. It may be hoped that the tide has turned, and that regard for form (*i. e.*, for the hearer or reader) may recover that standing with the students of history which can alone give us historians or invest our profession with public influence.

The sectional sessions were distinctly less successful than the general. From "experience meetings" of workers, vital and engrossing, and sometimes resulting in important forward movements, they have for the most part come to be mere sessions for the reading of short papers, unrelated and undiscussed, and differing from the papers read at the general sessions only by being briefer and less important. Chairmen of conferences should exert themselves to arrest and reverse this process, and to restore real conferences, lively with debate and fruitful in results. This should not be difficult if the right kind of programmes are made, and circulated in advance, in syllabus form, among the right kind of men; for brief conversation with such men in any of these fields shows always that there are plenty of tasks and themes to be jointly considered.

The meeting of the American Historical Association was held in concert with the American Political Science Association. The opening session, begun with an address of welcome by Hon. Henry W. Hill, president of the Buffalo Historical Society, to which the president of the American Historical Association made a felicitous response, was a joint affair, consisting of the annual addresses of the presidents of the two associations. That of Professor William M. Sloane as president of the elder society, entitled "The Substance and Vision of History", was printed in the last issue of this journal. That of the president of the American Political Science Association, Governor Simeon E. Baldwin of Connecticut, formerly a president of the historical society, was on "The Progressive Unfolding of the Powers of the United States", and was marked by historical learning as well as by clear and thoughtful political reasoning.¹

The meeting of Thursday morning took the form of a joint session held with the Mississippi Valley Historical Association, at which four papers were read, grouped under the general title *Some Frontier Problems*. Professor Beverley W. Bond, jr., of Purdue

¹ The text of Governor Baldwin's address appeared in the *American Political Science Review* for February.

University, opened the session with a paper on the Quit-Rent System in the American Colonies, printed on subsequent pages of this journal. Professor D. R. Anderson of Richmond College in Virginia read an interesting and well-written paper on the Insurgents of 1811. After describing the gradual growth of discontent with the Jeffersonian policy and the stagnating effects produced by faction in the last years of his administration and the first portion of that of Madison, he set forth the rise of the new spirit typified by Clay, Calhoun, Grundy, Porter, and their associates. By apposite statistics and quotations he showed how the rapid growth of population in the upland portions of the old states and in the regions west of the Alleghanies gave to this spirit of insurgency in respect to the administration and of belligerency in respect to foreign policy the motive power which carried it on to actual warfare, and contributed to public opinion upon the conduct of the war one of its leading characteristics, an eager desire for the conquest of Canada and for the extinction of danger to the West from British control over the Indians.

In a paper on the Tariff and Public Lands, 1828-1833, Professor Raynor G. Wellington, of the University of South Dakota, showed how the views of the different sections of the country toward the question of the administration of the public domain were determined by their economic interests. The sections which felt most strongly were the West and the Northeast. To further its growth the West desired a low price for public lands. The Northeast with its interest in manufactures opposed this, because such a policy would result in drawing away its laboring population; but to prevent a reduction of the tariff, which might result if large returns went into the treasury because of the maintenance of the existing price of public lands, the representatives of the Northeast proposed the distribution of these proceeds among the states. The attitude of the South was determined by the effect which the policy pursued toward public lands would have on the tariff. Until 1832 the South acted with the West in a more or less close alliance on measures respecting western public lands and against the tariff. But upon the failure of the South to give anything definite to the West on the land question, the West abandoned the South and voted for the tariff of 1832. The South next turned to Clay's party, which offered a lower tariff in the Compromise Bill, but stipulated for a distribution of the proceeds of the public lands.

The last paper of this session was one by Professor Clark E. Persinger, of the University of Nebraska, on the "Bargain of 1844"

as the Origin of the Wilmot Proviso. When the proposal of Texan annexation threatened preponderant southward extension Northern Democrats were frightened into opposition to its annexation, but Northwestern Democrats were willing to bargain with Southern Democrats for a combination of Texas and Oregon issues that should result in the continuation of the old, traditional policy of approximately equal expansion of free soil and slave soil. This bargain was definitely drawn up by a small group of Northwestern and Southern Democratic politicians, and submitted to and ratified by the Democratic convention at Baltimore in May, 1844. Democratic success in the campaign of 1844 was followed by the immediate carrying out of that portion of the "bargain" relating to the annexation of Texas, for which all but a few of the Northwestern Democratic members of Congress voted, these few asserting a Southern Democratic intention of repudiating the "bargain of 1844" when the time should come to provide for the carrying out of that portion of it relating to the reoccupation of Oregon. When the next session of Congress took up the Oregon question, the suspicions of these Northwestern men appeared to prove well founded. The Southern Democrats, under the leadership of Calhoun, opposed the claim to the "whole of Oregon", opposed giving notice to Great Britain of our intention to abrogate the joint-occupancy treaty of 1827, and opposed attempts to establish a free-soil territorial government over the portion of Oregon which we did succeed in obtaining. Accused of a breach of faith in carrying out the "bargain of 1844", the Southern Democrats denied altogether the existence of any such bargain, or denied that they individually had had any hand in it, or else denied that it had applied to the "whole of Oregon". Betrayed and incensed by this "Punic faith", as they called it, of the Southern Democrats, the Northwestern Democrats in August of 1846 proposed the Wilmot Proviso as the only means possible for the restoration of the traditional free-soil and slave-soil balance, for protecting themselves against possible future Southern Democratic "breach of faith", and for "saving the Democratic party of the Northern states" after its betrayal and humiliation through the miscarriage of the "bargain of 1844".

The afternoon of this same day was occupied with three conferences: one in ancient history, of which the chairman was Professor William S. Ferguson of Harvard, one of archivists, presided over by Professor Herman V. Ames of the University of Pennsylvania, and one upon Southwestern history, with Professor Herbert E. Bolton of the University of California as chairman. That relating

to ancient history was especially well attended, and was marked by evidences of great interest. The growth of ancient history into importance as a subject of consideration by professors of history is indicated by one of the striking facts brought forward by Professor Henry B. Wright of Yale, in the course of a detailed report on instruction and research in ancient history in American universities. Whereas twenty years ago the notion would have been scouted, that collegiate courses in ancient history were the concern of any one but professors of Greek and Latin, or that they had any other position than one ancillary to the classics, it was apparent from Professor Wright's figures that the colleges and universities in which courses in ancient history are in the charge of the historical department are now two or three times as numerous as those in which they are in the charge of the classical professors. This is as it should be, and gives a chance that our young people, instead of pursuing the Greek history of the fifth and fourth centuries for the sake of obtaining foot-notes to classical authors, and the Ciceronian and Augustan periods for the same purpose, may pursue Greek and Roman history for their own sakes and with an eye to the ancient period of human history as a whole.

In the programme of the conference on ancient history, the first place was held by a discourse from Professor George W. Botsford of Columbia University, on Laconia in the transition from the Mycenaean to the Hellenic Age.

The historian of Greece, he pointed out, has for some time been confronted with the difficult task of restating the beginnings of Hellenic civilization in conformity with new knowledge furnished by archaeological research. In this task it is necessary for him to discard a multitude of theories proposed by the archaeologists themselves, affecting the relation of culture to race, the character of migrations, the causes of the decline of the Mycenaean civilization, and many kindred subjects, and to seek guidance in the actual experiences of history. In view of the fact that the cultural indebtedness of historical Greece to the Mycenaean (Minoan) Age is demonstrably enormous, it is necessary in the case of any early Greek institution or condition which seems to be the product of a more highly developed, or of a non-Hellenic civilization, to consider at least the possibility of deriving it from Mycenaean sources. Greater importance, too, must now attach to such statements of the ancients as that of Aristotle, *Politics*, 1271 b, 27, to the effect that the Dorians of Lyttos, Crete, adopted the legal institutions of the earlier inhabitants. These and other considerations—particularly the facts ob-

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tained by recent explorations in Laconia—lead to the conclusion that Lacedaemonian conditions were largely an offshoot of the late Mycenaean. There can be no serious doubt, accordingly, that the historical Dorians arose from a blending of northern immigrants with earlier Greeks who had already mingled racially with pre-Hellenic aborigines; that, notwithstanding the dialectic studies of Meister, the language, culture, and nationality of eighth-century Laconia were essentially homogeneous; and that the system of social classes (Spartans, perioeci, and helots), the kingly office, the despotic socialism, and important religious cults of Laconia were borrowed in whole or in great part from the decadent Mycenaean civilization.

Later in the same conference, Mr. J. F. Ferguson of Yale read a paper on the Price Edict of Diocletian, discussing the causes for its issue, and illustrating some of the many ways in which it can be used for the culture-history of the time; and Professor Charles Diehl of the University of Paris described in a most interesting manner the development during recent years of Byzantine studies in France.

The third annual conference of archivists dealt mainly with the problem of protecting archives from fire, and with the administration of archives in Canada. Professor Ames, presiding as chairman of the Public Archives Commission, dwelt in his opening remarks upon the necessity in America of insisting upon the safeguarding of archives as the first step in securing adequate provision for them. This point was enlarged upon in an excellent paper by Mr. Arnold J. F. van Laer, archivist of the state of New York, on the Lessons of the Catastrophe in the New York State Capitol at Albany on March 29, 1911. Mr. van Laer pointed out that the conditions at Albany which made the destruction of the archives possible were to be met with in nearly every state capitol in the country and were due mainly to carelessness and neglect—a consequence of partizan control, to overcrowding caused by the demands on space made by the ever-increasing amount of public business, and to the impossibility of making an absolutely fireproof structure out of such a building as a state capitol must necessarily be. As to specific lessons to be learned from the Albany fire Mr. van Laer indicated the need of constant and efficient supervision in any building, no matter how fireproof structurally, that is filled with combustible material, and the necessity of avoiding as far as possible any passages, such as shafts, flues, etc., that serve to extend the flames. He also said that, given a fierce fire, wooden shelves possessed an advantage over steel shelves, in that they allowed their contents to fall to the floor in

piles which would burn but slowly. Bound volumes with wide margins were found to have suffered least and the hand-made paper of earlier days withstood the effects of heat and water far better than the pulp paper of the present. Mr. van Laer described briefly the work of salvage and restoration and emphasized the importance of commencing such operations at the earliest possible moment after a fire.

The next paper was by Professor Jonas Viles, on Lessons to be learned from the Fire in the State Capitol at Jefferson City. Mr. Viles described in detail the events of the fire, the unsuitableness of the capitol as a depository of records, the inadequacy of the means at hand for fighting the fire, and the difficulties of salvage, but stated that in spite of all unfavorable conditions the actual loss of valuable material was surprisingly small. As to practical lessons, taking into account that for many years to come the records of many of the states will continue to be stored in capitol buildings ill suited to the purpose, Mr. Viles emphasized the need of an efficient superintendent of the building with a relatively permanent tenure of office, and of co-operation between the state and local authorities in providing adequate means for fighting fires. The two papers were briefly discussed by Mr. Bernard R. Green, superintendent of the Library of Congress, who spoke especially of the need of constant supervision of collections even in a building that is structurally fire-proof, citing the example of the Library of Congress where a constant patrol is maintained and where fire-fighting apparatus is readily at hand. Mr. W. G. Leland of the Carnegie Institution referred to the great risks to which the greater part of the federal archives are constantly exposed and dwelt upon the necessity of a special archive depot in Washington.

The second part of the programme of the conference dealt with the Canadian archives. Mr. Duncan McArthur of the Dominion Archives at Ottawa traced the history of that branch, described its collections and the work of transcription now being carried on in London and Paris, and told how the archives are utilized both in the transaction of the public business and in historical research, dwelling upon the liberal attitude of the officials in respect to the latter and on their desire to place the archives as completely as possible at the service of scholars. The conference was concluded with the reading of an elaborate paper on the Ontario Archives by Mr. Alexander Fraser, archivist for that province, in which he described the organization and activities of the bureau at Toronto, its relation to other branches of the government and to the Dominion Archives,

and gave a detailed account of its collections, which include not only selected official records but material of all sorts illustrative of the history of the province.

In opening the conference devoted to the study of Southwestern history, the chairman, Professor Bolton, outlined the importance of the Southwest in national and international history, declaring in substance that it offers the richest opportunities afforded by our country for the study of archaeology and ethnology; that as the theatre for two centuries of a contest between Spain and barbarian America, it was the place where Spanish colonial institutions were subjected to their severest test and where they can be most profitably studied; that the continuous international struggle of which it was for the same period a constant scene, makes it a rich field for the study of the colonial and diplomatic history of America; that it played a leading part in the slavery question, the westward movement, and the development of imperialism; and that its recent growth offers ethnic, economic, architectural, social, and intellectual forces and features peculiar to itself.

Two formal papers were read, one by Professor Barker of the University of Texas, the second by Professor Cox of the University of Cincinnati. Professor Barker in his study of Public Opinion in Texas Preceding the Revolution reached the conclusions that slavery played little or no part in causing the revolution, that land speculation retarded it, that down to August, 1833, in spite of the efforts of radical leaders, public opinion opposed a breach with Mexico, and that the conservative element was driven from this position by Mexico's demand for the surrender of radical leaders to military authority for trial and by Santa Anna's intention of garrisoning Texas.

Professor Cox dealt with Monroe and the Early Mexican Revolutionists, studying the careers of José Bernardo Gutierrez de Lara, a representative of Hidalgo, José Álvarez de Toledo, a Cuban, and John Hamilton Robinson, an American adventurer. Monroe as Secretary of State secretly received these men, gave them advice, and some encouragement to form a provisional government for Mexico, but refrained from any act which would compromise the American government. Failing to gain the assistance they hoped for, they turned to filibustering and thus gained the open hostility of the American administration.

In opening the general discussion on the question, What are the Problems and what the Materials for the Study of Southwestern History, the chairman dwelt upon the necessity of extended work

on the narrative history of the region and the publication of great numbers of documents before we can proceed in a satisfactory manner with the study of institutions; asserted that most of the studies hitherto made, based on the texts of ordinances and laws, give no true picture of Spanish colonial government in actual operation; described the great opportunities just opening through the exploitation of the Spanish and Mexican archives, and mentioned many profitable subjects of investigation. Mr. William Beer of the Howard Memorial Library laid emphasis upon the French materials, especially those at New Orleans, while Professor Morse Stephens spoke briefly of the wealth of material in the archives of Spain, calling for the work of a generation of American students. Professor Cox and Professor Barker discoursed upon the opportunities for study of the periods of the Mexican revolution and of the Anglo-Saxon settlement of the Southwest respectively, indicating the nature and location of the materials for such work. To illustrate the need of work, Professor Barker stated that no one had ever yet satisfactorily explained Spain's or Mexico's reasons for the suicidal policy of opening the Southwest to settlement by Americans, and that there is no satisfactory history of Stephen F. Austin, Sam Houston, the Texas Revolution, or the Republic of Texas. The discussion was closed by Professor Justin H. Smith, who spoke of the important questions connected with the border relations between the United States and Mexico after the Mexican War, particularly in their relation to secession movements in northern Mexico and to the Southern Confederacy, materials for which are to be had in the Mexican and our own archives.

The evening session was, according to custom, given over to papers making a more general appeal to those variously interested in history. By an arrangement which was natural in view of the place of meeting, its theme was Canadian history. In a paper entitled "Canada v. Guadeloupe; an Episode of the Seven Years' War", which we are later to have the privilege of printing in this journal, Professor W. L. Grant of Queen's University, Kingston, dealt with the pamphlet controversy of 1760-1761 on the question which of the two colonies should be retained at the peace, should a choice be necessary. He described a number of the pamphlets, and showed how the controversy merged into the better known one provoked by Israel Mauduit's *Considerations on the Present German War*.

A paper read by Professor Clarence W. Alvord of the University of Illinois, on British Political Factions and the Policy of Imperial Development, 1763-1774, was an attempt to discover the alignment

of the British political factions upon the policy of the development of the new possessions in western America and East India. In the general introduction, it was shown that there were three distinct attitudes among politicians towards the future of both regions, which may be designated as uncompromising imperialism, moderate imperialism, and anti-imperialism. The first looked in western America to the complete exploitation of the new possessions by immediate colonization and in East India to the assumption by the government of all the new conquests, leaving the East India Company in possession of the trade alone. After thus laying the basis for distinguishing between the policies of the various groups of politicians, the paper took up in order the various factions. Mr. Alvord did not find any grouping of politicians under party banners such as Whigs and Tories, but rather a grouping into factions whose main purpose was the acquiring of office. All these groups, or factions, were offspring in more or less direct line from the Whig party. The court faction alone requires a more careful analysis, and the paper showed that this was composed of very diverse elements: first, independent politicians, generally of Whig traditions; secondly, the representatives of Scotland in both houses of Parliament; thirdly, the king's friends; and fourthly, the Tories. The general conclusion of the paper was as follows: The followers of William Pitt, and those members of the court faction that surrounded the Earl of Bute, were in favor of the most radical imperial policy. The Grenvillites and the followers of Lord North in the court faction were more moderate in their plans, although no less imperialistic in purpose; while the factions of the old Whigs and the Bedfordites, and the most conservative members of the court faction, were anti-imperialistic in their tendencies.

A substantial paper by Professor Cephas D. Allin of the University of Minnesota dealt with the Genesis of the Confederation of Canada. The British American League, whose history formed the main theme of his paper, was the product of an unusual combination of circumstances, political discontent of the Tory party and economic suffering consequent upon the abrogation by Great Britain of the system of preferential duties. The League succeeded in attracting to its membership almost all the disaffected spirits of the day. At its first convention in July, 1849, it adopted the policy of a union of the British American provinces as the principal plank in its platform. Subsequently a conference was held with the Colonial Association of New Brunswick relative to the proposed union, but as the representatives of neither party were prepared to present a definite

plan of union or authorized to draft or accept any such plan, the conference could do nothing more than pass a general resolution in favor of union. At a second convention of the League, the principle of union was again approved, but the attempt to lay down the basis of a federal constitution ended in a sorry failure, partly owing to the lack of time and the weakness of the personnel of the delegates, but mainly owing to the essentially partizan, provincial, and non-representative character of the convention. The League soon after collapsed through the wasting away of its membership. Although the efforts of the League to awaken public interest in the question of federation were apparently fruitless at the time, nevertheless to that organization is due the credit of first bringing the question to the attention of the public. It converted the question of federation from a subject of merely speculative interest into a practical if not popular political issue. The policy of the League was undoubtedly premature, but the seed which was then sown on unfavorable ground soon after sprang up and reaped an abundant harvest in the Confederation of Canada in 1867.

The session was ended by a vivacious and even brilliant address by Professor Charles W. Colby of McGill University, "Apropos of September Twenty-First, 1911", in which with a light touch but with much insight he discussed the reasons for earlier *rapprochements* in commercial matters between Canada and the United States, set forth the causes, in industrial development and in British and Canadian policy, which had given a more national quality to Canadian opinion, and described the reasons for the defeat of reciprocity and the effects of that event on the mutual relations between the Dominion and the United States.

The programme of Friday, the last day of the meeting, was one that might well seem formidable to any member who took seriously the duty of attendance upon meetings—a morning session, an evening session, and in the afternoon three conferences and the annual business meeting. The morning session led the members out to the handsome building of the Buffalo Historical Society in Delaware Park, where papers grouped under the general head of International Relations were read. Of these, that of Professor Archibald C. Coolidge of Harvard, on the European Reconquest of North Africa, will appear in a later issue of this journal.

The paper first read, that of Professor James A. James of Northwestern University, on French Diplomacy and American Politics, 1794-1797, began with the successors of Genet. Their mission, with its continuance of his policy and the dangers incident thereto, had

not, the speaker declared, received the attention which its importance warrants. Like Genet they strove to gain by influence over national legislators and by threatened appeals to the people that consideration for the French cause which they thought not obtainable through the ordinary course of diplomacy. By the summer of 1793, the struggle between the Girondins and the Mountain was over and the period of the Terror was inaugurated. On October 16, the Committee of Public Safety decreed that Genet, who was a member of the defeated party, should be superseded by a commission of four men. No measure of interest to the Republic might be undertaken without the assent of a majority of the commission, but the minister plenipotentiary, Fauchet, was to have the right of initiative in all purely political questions. The paper then treated of the attitude of Fauchet to the embargo of 1794 and his influence in preventing the extension of that measure for a longer period. Among the other problems discussed were the relations of Fauchet to public men; his attitude towards the Whiskey Rebellion and the Democratic Societies; and his attack on the Jay treaty. From the standpoint of diplomacy the mission of Fauchet was a failure, but his course of action, together with that of Adet, his successor, may well be cited among the influences contributing to the triumph of the Democratic-Republican party.

Dr. Charles O. Paullin's paper on the Early Relations of the United States with Turkey gave an account of the attempts made by the United States during the years 1784-1830 to negotiate a treaty with Turkey. It was based chiefly on documents in the State and Navy departments in Washington. It called attention to the interest in a treaty manifested by the Continental Congress in May, 1784, and set forth the work of Rufus King, our minister to England during the years 1796-1803, in behalf of a mission to Turkey, which resulted in the appointment of William Smith, of Charleston, South Carolina, as an envoy to that country. The missions of Commodore William Bainbridge and Luther Bradish, of George B. English, of Commodore John Rodgers, and of Commodore William Crane and David Offley, which were unsuccessful; and the mission of Commodore James Biddle, David Offley, and Charles Rhind, which succeeded, were described. The objects sought by the United States in its negotiations, and finally obtained in the treaty signed in 1830, were: (1) trade with all Turkish ports on the footing of the most favored nation, (2) free ingress to and egress from the Black Sea, and (3) permission to appoint consuls to any Turkish port.

After the luncheon already mentioned as served in the building

of the Buffalo Historical Society, the reading of papers was resumed, in three sections, one devoted to European history, another the annual conference of state and local historical societies, the third occupied with the problems of historical teaching in elementary schools.

The conference on European history, of which Professor John M. Vincent was chairman, opened with a paper by Mr. Theodore F. Jones of New York City, on the Archives of the Venetian Republic and the opportunities they offer for studies in political, diplomatic, and economic history, and one by Professor Roger B. Merriman of Harvard on a manuscript general chronicle of the period of Charles V., by Francisco López de Gomara, unused by historians hitherto, but presenting points of interest.

In further continuance of the same conference, Professor Sidney B. Fay of Dartmouth treated of the Materials for the History of Germany in the Sixteenth and Seventeenth Centuries. His aim was to suggest the opportunities for advanced students to work from printed to manuscript sources on certain topics connected with Brandenburg-Prussia under the Great Elector, and to suggest also the excellent opportunity and the real need for monographs on individual manors showing in concrete detail the conditions of actual groups of peasantry in South and West Germany before the Peasant Revolt of 1525. Of the printed material relating to Brandenburg-Prussia under the Great Elector three collections are accessible in this country, the *Corpus Constitutionum* of Mylius, a body of laws, edicts, and proclamations of the electors, extending to 1738; the *Urkunden und Actenstücke*, still being published, which includes the Great Elector's public and private correspondence, and diplomatic documents of all sorts; and the records of his Privy Council, five volumes, which calendar the proceedings of the Privy Council from 1640 to 1660. From these sources the student can find material furnishing the basis for a biographical, a diplomatic, an institutional, or an economic study. As to monographs on the condition of the German peasants in the fifteenth and sixteenth centuries, the materials for them fall into four classes: the *Urkunden*, the *Urbare*, the account rolls, and the *Weistümer*. Much of this material has not yet been published, but just now Hilliger has undertaken to print all the material relating to the monastery of St. Pantaleon near Cologne. This furnishes a splendid opportunity to the advanced student, and it will doubtless be followed by publications from other archives than those of Cologne.

A paper by Mr. Edwin W. Pahlow of Lawrenceville discussed

Anglo-Dutch Relations in 1671-1672. After an introductory account of the Triple Alliance of 1667 and of the treaty of Dover of 1670 providing for a joint attack on the Dutch Republic by England and France, he showed how, to win the support of his people, Charles II. in 1671 entered into a dispute with the States General over the salute which England claimed for her ships. His demands were presented at the Hague by Sir George Downing, the most famous quarreller of his day. Downing's first memorial so amazed the States that its two weeks' lease expired without bringing an answer, and accordingly he presented his second, demanding a prompt reply. Disregarding the king's instructions to await definitely the States' answer to his memorial, Downing presented his third memorial informing the States General that he was ordered by the king to leave at once. When Charles heard of Downing's action, he feared that the Dutch would either make concessions which he would not dare to refuse, or would send out their fleet, to the great demoralization of England. But the States made such partial concessions as enabled him to drag out the negotiations until he and Louis XIV. were ready to begin the war.

Mr. Albert C. Dudley of the Johns Hopkins University followed with a carefully considered paper on the Religious Persecutions under the Clarendon Code. Basing his statements on manuscript materials in London, especially in the archives of the Society of Friends at Devonshire House, he recast the traditional narrative of the episode by showing the wide difference in the treatment accorded to the different bodies of the Non-conformists. It is expected that this paper will be printed in a later issue of this journal.

The concluding paper of the session, by Mr. Conyers Read of the University of Chicago, on Factions in the English Privy Council under Elizabeth, rested on Dasent's *Acts* and on a wide variety of printed or manuscript materials. Of the seventeen men who constituted Elizabeth's Privy Council in January, 1574, there were seven who were chiefly responsible for her policies. Division in their ranks meant division in the Council. Among these seven Burghley and Leicester were always on opposite sides. While Burghley for reasons of state believed in conformity to a state church he modified the extreme Protestantism of Leicester both at home and on the Continent. To his faction belonged most of the older members of the Privy Council, Sussex, Hunsdon, Bacon, Sir James Crofts, Whitgift, Cobham, and Buckhurst. Opposed to them was a group of younger men, ardent Protestants, led by Leicester, not because of his ability, but by reason of his influence with the queen. In this group

Francis Walsingham furnished the intellectual leadership. Warwick, Bedford, and Knollys were its other members. All the additions made to the Privy Council between 1573 and 1586 belonged to this party, which possessed a dominating influence in questions of government. This faction to some extent mitigated the severity of the persecution of the Puritans, and they labored for many years for Mary's execution. In foreign affairs the influence of the factions is seen in connection with Elizabeth's policy toward the Dutch rebels in 1578, in the question of the Anjou marriage negotiations, in the consideration of the Spanish demand that Drake be punished in 1580, and in further opposition to Spain in the Low Countries. Leicester's expedition to the Low Countries marked the final triumph of the Radical Protestant policy.

The eighth annual conference of historical societies, presided over by Professor I. J. Cox, was held in the building of the Buffalo Historical Society on Friday afternoon with about fifty delegates in attendance. The programme was devoted to the consideration of two principal subjects: historical society buildings, and the work of hereditary patriotic societies. The first paper was by Mr. Clarence S. Brigham, librarian of the American Antiquarian Society, who described the new building of that society and especially the arrangement of its library, which he regarded as a type of modern library construction in its compactness and in its grouping of work and study rooms around a central administrative point. Mr. Frank H. Severance of the Buffalo Historical Society spoke briefly on the requirements that should be met by the offices and auditoriums of historical buildings. He held that the building of an historical society should be useful to as many people in a community as possible; thus it should contain an auditorium of ample size, thoroughly equipped for entertainments and especially for illustrated lectures, and with a stage of considerable depth. The offices should be adapted to the sort of work to be carried on and should contain some place where the quiet essential to historical and literary work may be found. The discussion was continued by Mr. Bernard R. Green, superintendent of the Library of Congress, who declared that such buildings present no special difficulties to the engineer or architect but that the important thing is to have a clear and definite idea of the uses to which a structure is destined in order that the plans may be drawn accordingly. The second part of the programme was introduced with an elaborate and carefully prepared paper by Mr. Harry Brent Mackoy, of Covington, Kentucky, on the productive work of the hereditary patriotic societies, in which he described the

various kinds of historical work accomplished by those organizations. Mr. Mackoy's paper was based upon information obtained by a thorough canvass of the different societies and is not only a valuable contribution to our knowledge of what has been done but may serve as a starting point in planning larger activities. The paper was discussed by Mr. William Libbey, general secretary of the Sons of the American Revolution, by Mr. Barlow Cumberland, president of the Ontario Historical Society, and by Mrs. Charles Bassett, historian-general of the Daughters of the American Revolution. All of these speakers emphasized the necessity of making the influence of the hereditary societies felt in the education of the young, particularly in inculcating high ideals of patriotism and civic morality. The conference voted to continue the committee on co-operation among historical societies with power to secure funds for the completion of the catalogue of documents in the French archives relating to the history of the Mississippi Valley, and also voted to request the Council of the American Historical Association to appoint a committee for the consideration of the historical activities of the hereditary patriotic societies. It was likewise decided that the preliminary report of a committee of the Council on the marking of historic sites, which had been placed in the hands of the secretary upon the dissolution of the committee should, if space were available, be printed as part of the proceedings of the conference.

The third conference of this afternoon, devoted to the consideration of the teaching of history in elementary schools, met in the Albright Art Gallery. Professor Edward C. Page, who presided, gave a brief account of the efforts that had been made and the success attained in making the history teachers' conference a permanent element in the annual meeting of the Association. The specific subject for the present occasion was the Report of the Committee of Eight, which was considered at length and with profit, yet not without that emphasis upon one-sided arguments which is the bane of American teachers' meetings.

Professor J. M. Gambrill of the Baltimore Polytechnic Institute in seeking an answer to the question, Ought the Report to be followed by the Elementary Schools? declared that to a new course four tests should be applied: its relation to the interest and capacity of the child; the child's social and individual needs; the requirements of the subject; and the practicability of getting the course adopted and well taught. Tested by this standard, the purpose of the course outlined seemed wise, its plan sound. One defect in detail could be mentioned. The fourth and fifth grades should be devoted to the

study of stories of European history rather than to American in order to furnish a European background for the work in American history done by the grammar grades. The sixth grade might well be given to a study of the transition from European to colonial life. In spite of this defect he urged that the report be followed.

Miss Julia A. King of the Michigan State Normal College in her discussion of the paper maintained that the object of teaching history was to help the child to understand and participate in the life around him, and that since the material selected by the Committee of Eight for the first four years' work did not do this it was therefore a mistaken choice.

The second paper of the conference was presented by Mr. Carl E. Pray of the Wisconsin State Normal School, who, in considering the question of the best preparation for persons who are to teach the course outlined by the committee, took decided issue with those who would place the emphasis on method. The first essential must always be as many and as thorough courses in history as possible. He showed very briefly how this requirement was being attained in Wisconsin. Miss Sarah Dynes of the State Normal School at Trenton, in her discussion of his paper, told what was being done to prepare students to teach history in New Jersey. This preparation includes a criticism of existing teaching, a demonstration of "real" history study, an examination of various courses of study, and a discussion of the order of procedure in presenting historical material.

In the open discussion which followed Professors Collier of Brown University and Eugene Fair of the State Normal School of Kirksville, Missouri, took issue with Miss King's statement of the aim of teaching, maintaining that history teaching, while doing its part to fit the child for the life of to-day, should also broaden his appreciation of that which is unlike his own environment. Professor Harding of Indiana offered the following resolutions: 1. That Greek and Roman history be omitted in the sixth grade, the course for this grade being too heavy; 2. That the American history now given in the fourth and fifth grades be placed in the fifth grade; 3. That Greek and Roman stories be given a place in the fourth grade. Before the motion was voted upon, Professor Bourne, who was largely responsible for the outline for the sixth grade, explained that the study of American history had been placed in the fourth and fifth grades because of the fact that so many pupils left school at the end of five years. The objection which had been raised, that the work of the sixth grade was too heavy, he thought could be met by confining the study to certain typical features of Greek and Roman

and medieval civilization. Professors J. A. James, A. W. Risley, and J. M. Gambrill urged that no change be proposed in the course until it had been given a longer trial, as it was believed that to make a change now would throw the whole subject into chaos once more. The motion was lost. A committee consisting of Messrs. Carl E. Pray, J. M. Gambrill, W. H. Cushing, and Samuel B. Harding, was appointed to bring about co-operation between the organizations of history teachers in the different sections of the country.

Except for the business meeting, to be described later, the sessions at Buffalo closed with Friday evening's joint session of the Historical and the Political Science Associations. Of the four papers, all devoted to Spanish America, two were historical in character, the other two in the field of political science. Mr. H. W. V. Temperley, fellow of Peterhouse, Cambridge, discussed the Relations of England with Spanish America between 1720 and 1740. His aim was to ascertain the views of England, during that period, on the importance of the West Indies and of connection with Spanish America. The statistics for the period are most unreliable, as are the unofficial pamphlets, the most valuable source of information being the colonial acts of the Privy Council recently published by Professors Munro and Grant. The evidence submitted in the paper was from the private papers of Newcastle, Hardwicke, and Walpole, in the British Museum, and from the despatches of the Admiralty and the Foreign Office in the Public Record Office. The populace of England was interested in the gold they believed could be found in the Indies, the Admiralty urged the fortification of the islands because of their strategic position; their value to the commerce of England was enormous, as through these islands the illicit trade with Spanish America was carried on. This trade was far larger than the illicit trade of either France or the Dutch, and was so lucrative that Parliament was most deferential to the trader. Indeed the main cause of the war of 1739 appears to have been commercial, though at one point in the negotiations with Spain, Walpole and Newcastle, in order to preserve peace, were willing to suppress the illicit trade in the case of private adventurers but would not interfere with that of the South Sea Company. Since the majority of the private adventurers were from the continental colonies this gives us an early illustration of a sacrifice of colonial to English interests.

In a paper entitled *Europe and Spanish America in 1822-1824*, Professor W. S. Robertson of the University of Illinois described the circumstances attending the reception of Monroe's now famous message in Spain, France, and England. In Spain, the message,

which arrived after the restoration of Ferdinand VII. to the throne, did not evoke much comment. Neither did it much influence the reactionary policy of the absolute king, who desired to be King of Spain with the Indies. Monroe's message caused a stir in the journals of Paris, which published reports of it for the first time on January 1, 1824. The administration journal, *L'Étoile*, criticized it. On January 2, 1824, *Le Constitutionnel* defended the message in a remarkable exposition. Whatever influence this state paper exercised in France in favor of Spanish-American independence can hardly be dissociated from the influence exercised by England, which had already declared against intervention by the Continental powers. The London newspapers warmly welcomed Monroe's manifesto, which was published there for the first time on December 27, 1823. The *Times* defended Monroe against the attacks of *L'Étoile*; he was praised by Brougham in Parliament. But Canning objected to the clause of the message adverse to colonization, and asked for an interpretation. In Canning's new-born desire to prevent the hegemony of the United States in America, he reverted to the idea of promoting the establishment of monarchies in Latin America. No contemporary suggestion of the familiar name the "Monroe Doctrine" has been found.

The remaining papers were, as has been said, rather in the field of political science than in that of history. Mr. Philip M. Brown, of Boston, formerly United States minister to Honduras, discoursed on the Difficulties of Diplomatic Relations with Latin America, with chief reference however to Central America.² He emphasized the consequences of mutual ignorance and of differences in habits and thought, and the embarrassments produced by insufficient instructions and local disorders. The policy of the United States toward this group of countries has been based on the principles that American interests must be protected; that European influence must not become too strong; that the obligations of the United States toward the countries of Central America must be fulfilled. But for the working-out of these principles the best efforts will be those employed toward removing the causes of trouble and restoring the union of the five Central American States.

The last paper presented at Buffalo was one by Mr. Henry Gil of the National University of La Plata, in which the author, with incisive phrases and in excellent English, discussed the Latin American Point of View.² His main thesis was that, in view of the diversities of development among the different countries, and the lack

² These addresses appear in the *Supplement to the American Political Science Review* for February.

of common interests, it was vain to talk of a Latin-American point of view as a single thing. Speaking of Argentina in particular, he enlarged upon the independence of its political and economic position, and its consequent indifference to considerations of the Monroe Doctrine or other policies of the United States.

On Saturday morning, December 30, the last day allotted to the sessions, some ninety members made together the journey from Buffalo to Ithaca, where they were entertained at luncheon by Cornell University and had an afternoon session marked by four interesting papers in European history. First, Professor Paul van Dyke of Princeton, upon the basis of a novel manuscript account of the Taking of Calais by Francis of Guise, found in the Bibliothèque Nationale at Paris, and of other evidences, argued for a view in accordance with which the credit of that famous *coup* belongs to the king, who formed the plan in the previous winter and rather forced it upon Guise. The paper which next followed, on the Political Theories of Calvinists, by Professor Herbert D. Foster of Dartmouth, will at a later time be printed in this journal.

Upon this ensued a paper by Professor Charles E. Fryer of McGill University, in which he traced, with the aid of whatever statistics are available in English libraries and archives, the Numerical Decline of Dissent in England previous to the Industrial Revolution. This was followed by the last paper of the annual meeting, one by Professor Edward Raymond Turner of the University of Michigan on Sources for the History of the English Cabinet in the Eighteenth Century. The secrecy of cabinet proceedings and the absence of formal records made a consideration of the sources, he held, particularly necessary. Most important were the informal records kept by cabinet members at different times, for individual use or for the convenience of associates. Some of these could be found in collections of private papers, and others remained in the State Papers Domestic. Next in importance were the diaries kept by cabinet members who recorded their recollections of cabinet business. The correspondence of political leaders yielded allusive information about a multitude of constitutional matters, while something could be obtained from reminiscences, apologies, and confidential explanations. Finally the reports of some of the agents of other European governments could be used to advantage. The pamphlets and newspapers contained some constitutional information, but it was difficult to know how far to trust them. From these sources it seemed possible to write an account of the working and organization of the cabinet.

One of the chief pleasures which the members of the Association

who went to Ithaca had had in mind was that of seeing, and doing honor to, the venerable Doctor Andrew D. White, who in 1884 had been elected as first president of the Association, and who is happily still with us and in good health. For this pleasure an admirable opportunity was provided by his hospitable kindness and that of Mrs. White in inviting the members to their house after the conclusion of the papers. There the president of the Association, in phrases of great felicity and cordial kindness, saluted President White in the name of the Association and spoke just praises of his long-continued services to the cause of history in the United States. The members then listened to an exceedingly interesting address by Dr. White, in which he reviewed the remarkable progress of historical education in American colleges and universities since he began his historical teaching at Ann Arbor in 1857, and gave excellent words of counsel to teachers of history, especially as to addressing themselves most of all to the educating of the average good student rather than to the training of specialists alone.

It remains to give a summary of the annual business meeting, which had taken place on the previous afternoon. The most important new step taken by the Association was the adoption of the *History Teacher's Magazine*, which, though with the same publishers as hitherto and with the managing editorship still in the efficient hands of Dr. Albert E. McKinley, will hereafter be sustained by joint support from the treasury of the American Historical Association and from a body of guarantors, including two regional historical teachers' associations, who pledged themselves to certain contributions through the next three years. An Advisory Board, with Professor Henry Johnson of Teachers College, Columbia University, as chairman, was appointed by the Council of the Association to represent it in the editorial conduct of the journal.

In respect to a meeting place, it was voted by the Association that the annual meeting of December, 1912, should be held in Boston and Cambridge, with the expectation of holding that of 1913 in Columbia and Charleston, South Carolina. The Council announced the membership of the Committee on Programme for that meeting and of the Local Committee of Arrangements, and the membership for the ensuing year of the various permanent committees and commissions. A list of these follows.

Professor George L. Burr, whose term as a member of the Board of Editors of this journal expired December 31, 1911, was re-elected by the Council for a further period of six years, while Professor James H. Robinson was elected to fill a vacancy caused by the resignation of Professor Sloane.

The secretary reported the number of members of the Association to be 2,905. The treasurer reported receipts of \$9,740 in the past year, assets of \$28,439, and a net gain of \$921 to the treasury of the Association. As delegate for the Pacific Coast Branch, Professor Herbert E. Bolton of the University of California read the report of its secretary and treasurer, in which the chief new item was that, because of affiliation with other scientific societies, the time of annual meeting of the Pacific Coast Branch had been removed from November to March or April. From the Public Archives Commission it was announced that a report on the archives of Colorado was expected; that the list of commissions and instructions to colonial governors was ready for presentation, and that that of reports and representations of the Board of Trade was well advanced. The Committee on Bibliography reported that its co-operative check list of some twenty-two hundred printed collections of materials for European history possessed by various American libraries was ready for the press. The Committee on the Bibliography of Modern English History reported gratifying progress made in conjunction with the English committee. The Herbert Baxter Adams prize was, on the recommendation of the appropriate committee, awarded to Miss Louise F. Brown of Wellesley College for an essay on the Political Activities of the Baptists and Fifth Monarchy Men in England during the Interregnum.

Colonel Theodore Roosevelt, first vice-president, was elected president of the Association for the ensuing year, Professors William A. Dunning and Andrew C. McLaughlin vice-presidents; Mr. Waldo G. Leland was re-elected secretary; Professor Charles H. Haskins secretary of the Council, Professor Clarence W. Bowen treasurer, and Mr. A. Howard Clark curator. In the place of Professors Greene and Hill, who had served three terms on the Executive Council, Professors Herman V. Ames and Dana C. Munro were chosen.

OFFICERS AND COMMITTEES OF THE AMERICAN HISTORICAL ASSOCIATION

<i>President,</i>	Theodore Roosevelt, New York.
<i>First Vice-President,</i>	Professor William A. Dunning, New York.
<i>Second Vice-President,</i>	Professor Andrew C. McLaughlin, Chicago.
<i>Secretary,</i>	Waldo G. Leland, Carnegie Institution, Washington.

<i>Treasurer,</i>	Clarence W. Bowen, 130 Fulton Street, New York.
<i>Secretary to the Council,</i>	Professor Charles H. Haskins, 15 Pres- cott Hall, Cambridge.
<i>Curator,</i>	A. Howard Clark, Smithsonian Institu- tion, Washington.

Executive Council (in addition to the above-named officers):

Hon. Andrew D. White, ¹	Professor George B. Adams, ¹
President James B. Angell, ¹	Professor Albert Bushnell Hart, ¹
Henry Adams, ²	Professor Frederick J. Turner, ¹
James Schouler, ¹	Professor William M. Sloane, ¹
James Ford Rhodes, ¹	Professor Franklin L. Riley,
Charles Francis Adams, ¹	Professor Edwin E. Sparks,
Rear-Admiral Alfred T. Mahan, ¹	Professor Fred M. Fling,
Professor John B. McMaster, ¹	Professor James A. Woodburn,
Hon. Simeon E. Baldwin, ¹	Professor Herman V. Ames,
J. Franklin Jameson, ¹	Professor Dana C. Munro.

Committees:

Committee on Programme for the Twenty-eighth Annual Meeting:

Professor Charles H. Haskins, Harvard University, chair-
man; Ephraim D. Adams, Frank M. Anderson, Guy S. Ford,
Samuel C. Mitchell, Henry B. Wright.

Local Committee of Arrangements: Charles Francis Adams,
Esq., Boston, chairman; Professor Archibald C. Coolidge,
vice-chairman.

Editors of the American Historical Review: Professor George
B. Adams, Yale University, Chairman; George L. Burr, J.
Franklin Jameson, Andrew C. McLaughlin, James H. Rob-
inson, Frederick J. Turner.

Historical Manuscripts Commission: Worthington C. Ford, Esq.,
Massachusetts Historical Society, chairman; Clarence W.
Alvord, Julian P. Bretz, Herbert D. Foster, Ulrich B. Phillips,
Frederick G. Young.

Committee on the Justin Winsor Prize: Professor Claude H. Van
Tyne, University of Michigan, chairman; Carl Becker, Francis
A. Christie, J. G. de R. Hamilton, William MacDonald.

Public Archives Commission: Professor Herman V. Ames, Uni-
versity of Pennsylvania, chairman; Charles M. Andrews,
Eugene C. Barker, Robert D. W. Connor, Gaillard Hunt,
Victor H. Paltsits, Jonas Viles.

¹ Ex-presidents.

Committee on Bibliography: Professor Ernest C. Richardson, Princeton University, chairman; Clarence S. Brigham, W. Dawson Johnston, Frederick J. Teggart, George P. Winship.

Committee on Publications: Professor Max Farrand, Yale University, chairman; and (*ex officio*) Herman V. Ames, George L. Burr, Worthington C. Ford, Charles H. Haskins, J. Franklin Jameson, Waldo G. Leland, Ernest C. Richardson, Claude H. Van Tyne.

Committee on the Herbert Baxter Adams Prize: Professor George L. Burr, Cornell University, chairman; Guy S. Ford, Edwin F. Gay, Charles D. Hazen, Albert B. White.

General Committee: Professor St. George L. Sioussat, Vanderbilt University, chairman; Isaac J. Cox, Walter L. Fleming, William L. Grant, S. P. Heilman, Miss Susan M. Kingsbury, Clarence S. Paine, Frederic L. Paxson; and Waldo G. Leland and Haven W. Edwards, *ex officio*.

Committee on Bibliography of Modern English History: Professor Edward P. Cheyney, University of Pennsylvania, chairman; Arthur L. Cross, Roger B. Merriman, Ernest C. Richardson, Williston Walker.

Conference of Historical Societies: Waldo Lincoln, Esq., Worcester, Mass., chairman; Waldo G. Leland, secretary.

Committee on the Preparation of Teachers of History in Schools: Professor Dana C. Munro, University of Wisconsin, chairman; Kendric C. Babcock, Charles E. Chadsey, Edgar Dawson, Robert A. Maurer.

Advisory Board of History Teacher's Magazine: Professor Henry Johnson, Columbia University, chairman; Miss Blanche E. Hazard (to serve three years); Fred M. Fling, James Sullivan (to serve two years); George C. Sellery, St. George L. Sioussat (to serve one year).

THE ESTABLISHMENT OF THE COMMITTEE OF BOTH KINGDOMS

THE Committee of Both Kingdoms contained, says Gardiner, the first germ of the modern cabinet system. This is not to say that the cabinet which evolved out of Charles II.'s cabal had any organic connection with the executive body devised by the leaders of the Parliamentary party in 1644, but it does imply that the earlier organism had functions much like those of the later one. It would be more accurate to describe the committee as a prototype than as a germ. But while in its function and its relations to Parliament it was a prototype of the greater institution it was essentially different in origin and development. The cabinet was a natural outgrowth of the Privy Council. The Committee of Both Kingdoms was the executive expedient of a government that wanted a Privy Council. Its members made to order an institution and, whether they knew it or not, they made it somewhat along old lines. They made over the Privy Council in such a way as to meet particular conditions and a crisis in their affairs. It so happened that these not unskilful experimenters in political construction created a new thing, a thing that much resembled in its form and procedure the still unborn cabinet.

The story of their efforts, of the way in which the committee came into power, forms a not uninteresting chapter in the history of English conciliar institutions and furnishes foot-notes on the involved and subterranean policy of Sir Harry Vane and his friends. It is a story of a series of struggles between the two Houses, struggles in which the Lords were step by step forced backward and compelled to grant the wishes of Vane's willing majority in the Commons.

The history of the committee involves a brief account of the establishment, purpose, and functions of the executive body which preceded it, the Committee of Safety. The Committee of Safety came almost without observation. It was probably more the result of a gradual centralization of committee duties than of a conscious purpose to create an administrative organ of government. A Committee of Seven, often labelled the Close Committee, a Committee of Defense called into being when French invasion seemed imminent, a Committee of Defense occasioned by the absence of Charles in Scotland—these are a few of the bodies which prepared the way for

the more fixed Committee of Safety. They indicate the growing disposition of Parliament to entrust a large part of its power to selected groups.

The Committee of Safety came into being on the fourth of July, 1642. Just how it was constituted cannot be discovered. It is clearly evident, however, from the list of fifteen names that many of the leaders of the Parliamentary party were included. However the group was got together, Pym and Hampden were their leaders, and they were supported by Saye, Pembroke, Holles, Pierrepont, Glyn, and others, men who had gained recognition in the struggle against the king.

The duties of the committee were of two sorts. They were expected to suggest, put into form, and bring before the two Houses, such measures as seemed necessary to them in their executive position, and they were to work out the details and put into operation those policies upon which Parliament had determined. As a body entrusted with initiating legislation their rôle was a minor one, probably of no more consequence than that of the Stuart Privy Council. Their labors in their second capacity, to carry out the details of parliamentary orders, were greater. They were authorized, now to draw up a measure for the readjustment of troops, and again to spend a given sum of money, or to spend as much as they deemed necessary; they were expected to send off messengers of state, to arrest and hold political prisoners, and they were called upon to draft proclamations to the people and letters to the king or to foreign states.

But, however much freedom the two Houses granted to their committee, they never took their eyes off it. At no time during its short career of nineteen months was there any probability that the group would become more than an important committee. No one except perhaps Marten really feared that it would become a powerful council of state.¹ The king might proclaim it on the housetops that the committee had stolen away the powers of Parliament;² the two Houses knew better.

It was the alliance with Scotland that led to the replacement of the committee by a more powerful body. In the summer of 1643, when things looked dark not only at Westminster but in the field, it was determined to seek Scottish assistance. The very fact of an alliance between the two nations presupposed common military

¹ Sanford, *Studies and Illustrations*, pp. 544-545, who quotes from Harleian MSS., 164, f. 1052 B.

² See the king's proclamation, Clarendon, *The History of the Rebellion* (ed. Macray, Oxford, 1888), VII. 141.

action, and common military action of course meant that a way must be left open for some joint control. Upon the scheme for carrying out such control the English leaders had not, so far as we know, formulated a policy. They were willing to let developments take care of themselves. Had things been thus left to take care of themselves, there might have been organized some joint committee for oversight of the war, a committee probably less powerful and less efficient than the already existing committee. It was due to the younger Vane that this did not happen. Vane had been slowly gaining a position among the parliamentary leaders and was soon to step into the place vacated by Pym. However far short of Pym he fell in single-hearted devotion to a lofty patriotic purpose—and certainly he was not altogether unmoved by that motive—Vane had more political finesse and a sharper instinct for manipulation. The Scottish alliance afforded him an opportunity. It is by no means impossible that he had talked over the situation with his associates, Saye and St. John,³ and had an understanding with them before he went to Edinburgh, that the alliance with the Scots was to furnish the *raison d'être* for a new and stronger executive body.

It was in July of 1643 that the two Houses named a delegation of six to go to Edinburgh—Lord Grey of Warke, the Earl of Rutland, Sir Henry Vane, jr., Sir William Armine, Mr. Darley, and Mr. Hatcher. The two representatives of the Upper House failed to go,⁴ and left the four commoners to carry out the negotiations. It goes without saying that of those four Vane was the leader. Vane, remarks Clarendon, was one of the commissioners and therefore the others need not be named. The instructions given by the two Houses to those commissioners were explicit. They were to get the assistance of the Scottish troops in return for large financial inducements, and were to make such religious concessions as would be necessary. In the original instructions issued in the last part of July, 1643, there was nothing said about the establishment of a joint committee, but such a step was rendered possible under the terms of article XVI., which read: "You shall further consider, with our Brethren of Scotland, what other Articles or Propositions may be fit to be added and concluded; whereby the Assistance and Union betwixt the two Nations may be made more beneficial, and effectual for the Security and Defence of Religion and Liberty in both Kingdoms. . . . And you shall certify all such Propositions to the two

³ St. John had but recently been put on the Committee of Safety.

⁴ *Old Parl. Hist.* (London, 1754). XII. 335-336, 339-340.

Houses of Parliament, and thereupon proceed to a Conclusion, as you shall receive further Direction from them."⁵

Whatever the instructions, Vane's negotiations after he reached Edinburgh showed clearly enough what he wished. He was willing to yield many points on religion if he could get a league of the two nations. "The English", writes Baillie, "were for a civill League, we for a religious Covenant",⁶ and both got what they most wished.

By the 17th of August the Covenant had been agreed upon.⁷ By the 2nd of September it had been forwarded to London.⁸ The Covenant proper said not a word about a joint committee of the two kingdoms. It was no doubt clearly understood by both parties to the affair that there was to be a treaty as a sort of codicil. On November 1 the Parliament at London sent their commissioners in Scotland additional and more explicit instructions: "And forasmuch as the two Houses do hold it of absolute Necessity, that Commissioners from the Kingdom of Scotland should be forthwith sent to reside in London, or elsewhere near the Parliament, with sufficient Power and Authority to treat and conclude of all such things as shall be necessary for the Good of the Three Kingdoms . . . you shall therefore, with all Earnestness, press this Article, as that without which the whole Business is like to become very dilatory, if not wholly fruitless."⁹

One naturally asks who was behind these instructions. That question it is impossible to answer with certainty. It may be conjectured, however, that Pym, St. John, and Saye in London had for some time cherished a scheme for joint co-operation with the Scots through commissioners sent to London.¹⁰ This is hypothesis. It

⁵ *Old Parl. Hist.*, XII. 345-346.

⁶ *Letters and Journals of R. Baillie* (Edinburgh, 1841), II. 90.

⁷ *Memoirs of Henry Guthry* (London, 1702), p. 119; Spalding, *History of the Troubles in Scotland* (Aberdeen, 1829), p. 341.

⁸ The commissioners to England sailed August 30, but the Covenant seems to have been sent on eight days earlier and to have reached London by the first of September. *Baillie*, II. 99.

⁹ *Old Parl. Hist.*, XII. 434.

¹⁰ As early as the 8th of October (according to Laing, the editor of *Baillie*, see II. 483) Alexander Henderson, recently moderator of the Scottish assembly, wrote from London to Robert Douglas a letter in which he remarked somewhat incidentally: "If the Army come, there will be a necessity of Commissioners from the State, of which ye will heare with Mr. Hatcher." In other words, Mr. Hatcher, who had been in London since the second week in September, was going back to Scotland, and was to break to them a scheme for joint operation from London, a scheme which was not broached as yet in the Commons or Lords at Westminster for another month. It is impossible of course to say certainly who had devised this plan for commissioners from Scotland. It was not the peace party at Westminster, who were becoming more demoralized every day. The hand of the "violent party", as Holles often called it, is surely to be detected in the

is certain that Vane once having received the instructions of November 1 was able to push to a conclusion the arrangement of the committee.¹¹ It may be accepted as certain that the pressure for the new committee had come from England.

The instructions had been sent from England on the first of November. On the 29th of November the articles of the treaty between the two nations were signed.¹² Only the 8th and 9th articles concern us. In those articles it was provided that no peace should be made by either kingdom or the armies of either kingdom except by the advice and consent of both kingdoms, or their committees in that behalf appointed, who are to have full power for the same, in case the Houses in England or the Parliament or Convention of Scotland were not in session. It was further declared that all matters of difference between the subjects of the two nations "shall be resolved and determined by the mutual advice and consent of both kingdoms, or by such Committees as for this purpose shall

plan, even if the hand was a concealed one. It would be impossible to say how much part Pym had in the matter. He was already a stricken man. It was probably more the work of Vane, St. John, and Saye. The way in which Vane seems to have pressed the matter upon the Scots, after his instructions came, rather supports the theory that he had a finger in the pie from the beginning. (See extract from Carte Papers, LXXX., f. 152, Bodleian, printed in foot-note 11.) There is another fact which may or may not have significance on this point. On the 18th of August, 1643, the English commissioners in Edinburgh wrote to Speaker Lenthall: "Whereas we according to our Instructions have pressed a more firm union and league betwixt the nacons, they (the Scotch) have thought it the most expedient way . . . that there should be a mutual league and covenant drawn for the preservacon of liberty and religion in both nacons." (Baker MSS., XXXIV., f. 430, Cambridge University Library.) This is quite in accord with Baillie's well-known statement, "The English were for a civill League, we for a religious Covenant." It leads us to suspect that the English sought a closer alliance than the Scots were willing to assent to. The contrast of the words "firm union and league" with "mutual league and covenant" may perhaps mean as much as that. If the English aimed from the first at a "firm union", it may be surmised that a scheme for joint commissioners was part of it, and that Vane went to Edinburgh with that plan in mind. But this is conjecture.

¹¹ At a later date when the Scottish commissioners who were to be a part of the joint committee reached London and were compelled to wait for the English Parliament to take action, they sent messages more than once or twice to the Houses requesting haste, and in one of these messages they wrote: "The Committee of the Parliament of England represented to the Convention of Estates of Scotland that the honourable House did hould it of absolute necessity that a Committee or Commissioners from the Kingdom of Scotland should be forthwith sent to reside in London or elsewhere neare the Parliament . . . and that they were commanded with all earnestness to press their article, as that without which the whole business was like to become very dilatory, if not altogether fruitless." Carte Papers, LXXX., f. 152, Bodleian.

¹² Rushworth, V. 485-487.

be by them appointed". Here was the authorization for a joint committee of the two kingdoms.¹³

It was more than three months later that the four Scottish commissioners appointed in fulfilment of this bargain arrived in London. On the thirtieth of January, Crewe rose in the Commons and proposed the appointment of a small committee of two or three members to treat with the Scottish commissioners. Crewe's motion received little attention. It must have been on this very day and the one following that Vane and St. John were in consultation with the newly arrived Scottish commissioners and with their assistance drafted the ordinance that was to be presented.¹⁴ From the short interval of two days¹⁵ that elapsed between the arrival of the four Scotsmen and the passage of the bill in the House of Lords we are forced to conclude that the process of drafting must have been a hurried one, and was perhaps based on a preliminary draft offered by Vane. We shall later see that the bill bore many traces of Vane's handiwork. Yet Baillie who had every facility for knowing the truth claimed for his fellow-countrymen the credit of drawing up the form of the ordinance. It is not difficult, however, to reconcile these views. May we not guess that Vane had formulated clearly in his own mind what he wished but that the northern commissioners were discreetly allowed the lead in the actual framing of the measure?

¹³ It will be observed that while the treaty calls for commissioners to sit during the interim of parliamentary sessions, the Committee of Both Kingdoms is not specifically provided for. It can hardly be doubted, however, that those who framed the articles did look forward to such a body. Burnet and Clarendon both interpret the articles as providing for such a body. Burnet's *Memoirs of the Dukes of Hamilton* (London, 1677), p. 242; Clarendon, VII, 274.

They were so interpreted by the Scottish commissioners after they reached London. In a note which they addressed to the English on the 3rd of April, 1644 (Tanner MSS., LXI, f. 9, Bodleian) they referred to their commissions presented on the 5th of February, wherein they were granted power "to advise and consult with such Committees as the Houses should appoint . . . according to the article of the late Treaty . . . and the invitation of the Houses for our coming hither".

¹⁴ Baillie, II, 141.

¹⁵ The Scottish commissioners must have reached London not earlier than January 30. On January 29 "Mr. Cheesely brought News that our Brethren the Scotts were come in" (*C. J.*, III, 380), but he seems to have meant that they had touched port at Yarmouth, for on the next day it was reported to the Lords that "the Lord Lowden Chancellor of Scotland, the Lord Wariston, and Mr. Barclay had come to Yarmouth, and that some members of both houses be sent to meet them". By the 31st they seem to have reached London. On that day the Commons resolved that Lord Warriston should be admitted into the Assembly (the Westminster Assembly). On February 9 the Scottish commissioners in a letter to the Lords wrote: "Ten dayes are now past since our arrival." It is not improbable, therefore, that they reached Worcester House, which was being fitted up for their accommodation, on the afternoon or evening of the 30th. The measure passed the Lords on February 1.

So many changes were made in the form of the bill before it went through that we need not at this point discuss its provisions. One feature in the various drafts, however, throughout the vicissitudes of the debates remained constant. That was the personnel of the body. The membership of such a body was surely a matter upon which the voice of Parliament should have been taken, if upon anything in connection with the ordinance. Yet the names that were inserted in the first conference between Vane, St. John, and the Scottish commissioners remained without alteration to the end of the chapter.¹⁶ It will become clear, when we shall come to examine these names, that in the brief interval when Vane was consulting with the four Scottish commissioners the trains were laid by which the Independents were given a lead in the control of the government. Vane had been forced to yield more than he liked when in Scotland. He had kept a smooth face over it and was awaiting his chance. He had made friends of the Presbyterians.¹⁷ He had quite gained their confidence;¹⁸ indeed his attitude led them to believe that he would easily play into their hands. The four men who came from the north were prepared to find in him a ready ally. Baillie in writing from London to Warriston in Scotland had urged the "upcoming of a Committee from our Estates" and expressed the confident belief that if a well-chosen body were on the ground they would get the guiding of the affairs "both of this State and Church".¹⁹ He had insisted that Maitland should be one of the committee and had exulted in the attention received by that lord in London.²⁰ It would not have been at all surprising then that Warriston, Maitland, and the two other Scottish delegates should have gone to the English capital confident of their ability to dominate the situation.²¹ It would have been altogether in character for

¹⁶ This is not the place to enter into a detailed study of what those names stood for. It may be suggested that in this particular selection of men are to be found some of the causes that made possible the Self-Denying Ordinance and the final victory of the Independents over the Presbyterian party.

¹⁷ *Memoirs of Denzil Holles* in *Maseres's Select Tracts*, I, 108. There is abundance of other evidence to show that Vane was at this time persona grata with the Presbyterians in Scotland.

¹⁸ Baillie, II, 117, 133, 135-136, 146.

¹⁹ Baillie, II, 106.

²⁰ Baillie, II, 107, 485.

²¹ Alexander Henderson, one of the Scottish members of the Westminster Assembly, wrote from London to his friend Robert Douglas in Edinburgh on the 3rd of November, 1643, as follows: "There is no visible means under heaven for their (the Presbyterian party's) deliv'rance and your safety, but . . . 2. That there be a godly, honest, wise, and active Committee sent hither; which is much desired by the English, who are perplexed and wearied, and know not what to doe, and will be content to be directed by them in all affaires." Baillie, II, 484. Holles

Vane that he should have given them reason to believe that they were pulling the wires of state. But it was not the Scottish commissioners who named the twenty-one English members of the joint body. Sure as they were of themselves and of their ability to control things, they did not understand the English situation. They knew and trusted Vane²² and his friend St. John.²³ It may be conjectured that they would easily accept suggestions of names from them.²⁴ Indeed a study of the list of names will make it evident that the Scots did very readily—too readily they must have later realized—accept suggestions. It was to be expected that the members of the Committee of Safety should have been taken over at least in large part to make up the new committee. It was of course practically impossible to include all of the former committee, for that body had during the course of its existence been enlarged from the original fifteen members to over thirty-five. That the original fifteen should have been retained was certainly to be looked for. As a matter of fact most of those left were retained. Yet there were important changes. Five names were necessarily omitted from the new list. Hampden and Pym were gone. Nathaniel Fiennes's adventure in the west had made further activity on his part impossible. Marten had been imprisoned for rash words. Lord Holland after looking both ways had jumped somewhat tardily to the king's side. There still remained ten names. Of these original members all but three were nominated for the Committee of Both Kingdoms. Those three were the Earl of Pembroke, Sir John Meyrick, and Holles. A comparison of these names with the names of those who were not on the earlier committee and who were added shows how the preponderance of Presbyterians was changed to a preponderance of Independents. The Earl of Pem-

wrote (Maseres, I. 198): "Those creatures of theirs whom they sent Commissioners into Scotland . . . represented the state of affairs to that Parliament as being directly contrary to what it was, endearing their own party to them. . . . With which prejudice of us the Scots were strongly possessed, at their coming-in about January, 1643, and were in England some time before they were disabused."

²² Whom Baillie denominated "the sweet man, Mr. Pym's successor". Baillie, II. 133.

²³ Baillie's letters, as has been observed, show this trust very clearly. Baillie was in constant touch with the four Scottish commissioners in London. He retained the utmost faith in Vane as late as April 2. By the middle of that month he was beginning to realize the force of Independent opposition, but he does not mention Vane until September 16 when it is evident that he has been completely disillusioned. See vol. II., pp. 230, 236-237; see also Holles in Maseres, I. 202.

²⁴ Holles wrote (Maseres, I. 198-199): "To that purpose a Committee of the two Kingdoms must be appointed for uniting the Counsels . . . In packing whereof, and keeping-out some persons whom our Masters did disaffect, they used such juggling as never was heard-of before in Parliament."

broke was never a man of strong religious convictions but his general alignment with the peace party and the anti-Vane wing of the Lords makes us suspect that in 1644 he was reckoned more nearly a Presbyterian than anything else.²⁵ Meyrick was avowedly a Presbyterian and Holles had been the most active Presbyterian in the Commons.²⁶ While the Presbyterian party was weakened, the Independents were strengthened not a little. Oliver Cromwell, Robert Wallop, and Samuel Browne, all of them Independents, were put on Vane's list. Cromwell, it is true, would be in the field most of the time and hence unable to take part in the deliberations of the committee. But the other two, although neither of them was prominent in Parliament, were to be very regular members of the new committee.²⁷

The growing power of the Independent party in the new com-

²⁵ Clement Walker (*History of Independency*, 1648, p. 46) speaks of Pembroke as one "whose easie disposition made him sit for all companies". See also Clarendon, VI. 399; VIII. 245. His friendship with Essex (*ibid.*, VIII. 243) makes it probable that he leaned towards the Presbyterian party. See also *ibid.*, X. 123. It is to be observed also that he stuck to the Presbyterian group who remained in the Upper House on July 30, 1647 (*L. J.*, IX. 358). Moreover he was one of the Committee of Safety appointed by the Presbyterian party and as such was attacked by the Independents. (Clement Walker, pp. 52, 58.)

²⁶ A Presbyterian name almost equally important with that of Holles was that of Clotworthy. It does not appear—so far as the evidence at hand goes—that he was ever on the Committee of Safety either at its origin or later. Baillie, speaking of the establishment of the Committee of Both Kingdoms (II. 141), tells us he was "put off it" along with Holles. It is possible that he had been a member of the Committee of Safety and was dropped. It is more likely, however, that Baillie means merely that he was slated for the new committee and upon deliberation was left off. As one of the prominent men in the Commons and a Presbyterian closely associated with Holles and Stapleton he would naturally have been considered for such a place, and the fact that he was not included fits in with the actual exclusion of Holles and Meyrick.

²⁷ This comparison, however, of the new committee with the original Committee of Safety is perhaps not altogether fair, because that first committee had been so largely increased during its nineteen months of life. The Earl of Salisbury, who was a close friend of Pembroke's and whose sympathies and associations in 1644 would not have laid him open to the suspicion of Independency, had been added to the Committee of Safety, but his name was not to be found in the new group. The same was true of the Earl of Lincoln, who throughout the course of the Long Parliament stood steadfastly by the Presbyterian party. On the other hand it must be observed that Manchester, a recognized Presbyterian, had been put upon the Committee of Safety and was continued upon the body that replaced it. And the same may be said of John Lord Robartes, though his rôle was much less important than Manchester's. But it is to be noted too that Lord Wharton, a deeply-dyed Independent, had been added to the Committee of Safety and was retained in the Committee of Both Kingdoms. A better case could perhaps be made for the shift towards Independency if the lesser names among the added members of the Committee of Safety were examined. But this is not worth while. In the matter of these additional members, Presbyterian and Independent gains and losses are pretty well balanced.

mittee appears more clearly when an examination is made of the situation in the last days of the Committee of Safety. During the last six months of the Committee of Safety that impetus had been given to the Independents which rendered them leaders in establishing and directing the new executive body. Three of that party came to the fore so rapidly and worked together so effectively that they may well be called the Independent triumvirate. St. John had been added to the Committee of Safety in August, 1643, and was to be retained in the committee that succeeded it. Lord Saye and Sele had been an original member of the first body and had always been a figure in the councils of the Long Parliament, but he was now beginning to take a leading part. Pym's death had removed a leader, averse to Independency, and left a gap which, as has been seen, the younger Vane, whose influence had been on the ascendant, was seeking to fill. His name had been among the earlier names added to the committee.²⁸ The Independent party was on the way to become powerful before the ordinance for the Committee of Both Kingdoms was drawn up, and the personnel inserted in that measure was calculated to give it a permanent hold on affairs.²⁹

This can be more easily seen from a review of the names in the new body. Of staunch Presbyterians there were only six on the committee, Essex, Manchester, Waller, Robartes, Stapleton, and Glyn.³⁰ Of those, five would be away in the army a large part of the time. Warwick was mildly Presbyterian in his sympathies; Crewe may be reckoned on the same side.³¹ About Gerard and Sir William Armine it is very difficult to be sure. Armine perhaps leaned towards Independency, Gerard was perhaps a Presbyterian.³² But the Independents could count Saye, Wharton, Haslerigg, St. John, Cromwell, the two Vanes, and Pierrepont, as men fixed in their persuasion while the Earl of Northumberland, Wallop, and Browne were inclining the same way. And of these eleven only two were likely to be much away from the committee on account of

²⁸ *C. J.*, II. 758.

²⁹ Sir Arthur Haslerigg, who was to be exceedingly influential when he was in London and whose Independency was never questioned, was added to the Committee of Safety in November, 1643. *C. J.*, III. 299.

³⁰ Manchester, Robartes, and Waller never appeared at the committee during the first three months of its sessions.

³¹ Gardiner, IV. 253, note. See also Rushworth, VII. 1355.

³² It may be suspected that later at any rate Armine was inclined towards the Independents. His election to the Council of State in 1648-1649 (*C. J.*, VI. 141) and in 1651 (*C. J.*, VI. 532) makes it probable that he inclined towards the Independents. As for Gerard, it is hard to determine his position from the evidence at hand, but his expulsion at Pride's Purge (Rushworth, VII. 1355) makes one suspect that he was a Presbyterian.

military service. Under these circumstances it was not probable that an aggressive Presbyterian policy would ever be pursued.

It must not be supposed that all Vane sought was to give the Presbyterians a better hand. He must in the choice of names have had two other very definite ends in view, ends which he would have been at less pains to conceal from the Scottish commissioners. Consistently opposed to negotiations for peace and distrustful of the leadership of the Lord General, he found in the choice of members for the committee an opportunity. The year 1643 had not been a fortunate one for the advocates of peace with the king. The overtures of Parliament had met with little favor at his hands. The peace party had no longer a constructive programme to offer. It had moreover been thoroughly discredited and silenced by the discovery of Waller's plot. Yet some of its members were not without hope of a future accommodation. The deaths of Pym and Hampden had meant the loss of two leaders who aimed day in and day out at vigorous prosecution of the war. There was a real danger that some political and military chance might throw power back into the hands of the peace party, and open to them the opportunity of trying negotiations again, negotiations which might lead to terms little short of disastrous. It was well to guard against such a possibility. And Vane did so. Pembroke, Salisbury, and Holland, all had urged peace. In the Lower House the voice of Holles had again and again been raised for accommodation. It is hardly open to doubt that Sir John Meyrick had been on the same side.²³ Their names were not found on the roll of the new committee, although all of them unless Holland might very fairly have been included. Of all the twenty-one English members not more than four²⁴ could be denominated as thoroughgoing friends of peace, Pierrepont, Crewe, Glyn, and Essex. And the first two of these were soon to prove themselves less thoroughgoing in their desire for reconciliation with their sovereign.²⁵ Of the four, two were men who by virtue of their official position could not well be omitted. Certainly the peace party would have had cause to complain.

The supposition that the strength of the peace party was consciously reduced in the new committee fits in perfectly with another theory, that Vane sought by his nominations to put into the new

²³ Lord Robartes's associations and later attitude would lead us to suspect that he was a member of the peace party but there is no evidence that he was influential in that party.

²⁴ Northumberland had been favorable to negotiations and was still to take a leading part in them, but his enthusiasm had cooled.

²⁵ Clarendon, VIII. 248.

body a group of men unfriendly to the Lord General. There had been a growing dissatisfaction with Essex throughout 1643. Pym, realizing how necessary it was to keep the support of Essex and his friends in the Upper House, had exerted himself to the utmost to smooth things over. But Pym's death had put things into the hands of leaders more restive, less anxious to conciliate the Upper House, and less fearful of the consequences in case they did not. As early as the last part of January, 1644, Baillie had noted a bitter conflict between Vane and St. John on the one hand and "Stapleton, Mr. Hollis and others, of the Generall's partie"³⁶ on the other side. It will later be seen that the friends of Essex believed that the committee was to prove a limitation of his power and fought it at every step. The debates that followed proved clearly that Vane understood quite as well as the friends of Essex what the effect would be on the Lord General. It is incredible that his distrust of Essex and his desire to curb him should not have affected his selection of names for the new committee. This would account quite as well as his opposition to peace and to Presbyterianism for the omission of Holles, Pembroke, and Salisbury from the new committee.³⁷

It is really not a matter of importance whether Sir Harry was influenced by his opposition to the peace party or by his distrust of Essex or by his desire to overreach the Presbyterians. The point is that the friends of the peace policy were in general the friends of Essex, and that they were also Presbyterians. Whatever Vane's chief end may have been, the result of his manipulation was threefold. The Committee of Both Kingdoms would oppose efforts for accommodation, it would watch Essex carefully, and in good time it would prove a stumbling block to the Presbyterians and a support to the Independents.

It was not to be expected that the Scottish commissioners in those hurried consultations should realize all these purposes, if purposes they were. It was indeed important that they should not. But with one of his aims Vane would find the Scots thoroughly sympathetic. It is clear enough from Baillie's letters that the Scots were already distrustful of Essex.³⁸ It may be readily conjectured that Vane when in Edinburgh did not strive to alleviate that distrust. It is an equally probable guess that when the Scottish commissioners reached London, they were so eager to check the Lord

³⁶ Baillie, II. 136.

³⁷ Stapleton was not left off, but to have omitted all of Essex's friends would have been too obvious. Furthermore Stapleton had been generally opposed to the peace party.

³⁸ Baillie, II. 81, 118-119.

General that when Vane suggested possible members of the new committee who would be likely to oppose Essex, they would readily fall in with his nominations. These conjectures are confirmed by the speed with which the matter was arranged. It has been already observed that the ordinance was drawn up and the names inserted within two days.

The measure was then brought before the Lords. Responsible as Sir Harry had been for its inception and for its shape, he was shrewd enough not to father it in Parliament. It was wise to arrange not only that a scheme which was to throw so much power into the hands of his friends should seem to emanate from others, but that it should be introduced first into the Upper House. Which of the peers was the actual mover is a matter of doubt. Gardiner inclines to assign that rôle to Lord Saye and Sele but this opinion is hardly well supported.³⁹ It cannot be doubted, however, that he looked after the bill in the Lords. Whoever was responsible for the introduction of the measure into the Lords, it was rushed through in such a manner as to leave no doubt that it had able and adroit supporters. In some way the measure was so managed as to be proposed and voted upon without much consideration.

On the first of February the bill, apparently in exactly the form in which it had been drafted, was passed through the Lords and sent down to the Commons. The measure referred to the covenant and treaty between the two countries, declared that nothing could be more advantageous to the purpose of the treaty than that the affairs of both kingdoms should be managed by the joint advice and consent of both nations, and named fourteen commoners and seven lords who were to advise and consult with the Scottish commissioners, and who were officially given power together with them "to order and direct whatsoever doth or may concern the managing of the war, keeping good intelligence between the forces of the three king-

³⁹ Gardiner based his opinion upon a statement in the *Mercurius Aulicus* (for the week ending February 17). *Aulicus* says that some of the opposition "voted the Lords should discover who were the first authors of this new Committee; which upon exact scrutiny in the Lords House appeared to be the (late) Lord Saye and in the lower House Master John" [St. John]. Now *Aulicus* is clearly referring here to the chief supporter of the measure and not the mover. St. John was undoubtedly a "first author" of the measure in the Commons, but we know from D'Ewes that Crewe was the mover in that House. It is quite possible that while Saye fathered the bill in the Lords, he caused some one else to move it. There is a mysterious statement in Baillie about this matter. *Baillie*, II, 141. The phrase there, "my Lord Saye, upon new occurrences, being somewhat of the generall" is a bit cryptic, but it seems best to interpret it as meaning that Saye was the leader in pushing the measure through the Upper House. If this be right, Baillie confirms *Aulicus*.

doms, and whatsoever may concern the peace of his Majesty's dominions, and all other things in the pursuance of the ends expressed in the said Covenant and Treaty". It will be seen that the ordinance was exceedingly general and left open to the committee great possibilities. The clause "whatsoever may concern the peace of his Majesty's dominions" was a loophole large enough to suit the ambitions of a group far more aggressive than the committee with all its manifold activities was ever to prove. But stranger even than this was the omission of a time limit. The measure looked towards a long future.

The bill was taken up in the Commons on the third of February, two days after its reception from the Lords, and furnished an afternoon's warm debate. So far as can be gathered from a very little evidence the Commons felt it a breach of privilege that the members of their House who were to serve on the committee were to be named by the Lords. But this was by no means the only ground of criticism. It was suggested that some of those named were very young for such responsible places.⁴⁰ Whitelocke treated the subject historically and compared the plan with the Provisions of Oxford in the time of Henry III. and with the plan in the reign of Richard II. to turn over the power of Parliament to a small body, neither of which conferred power so unlimited as this ordinance.⁴¹ Reynolds made the same objection,⁴² and in a second speech pointed out that most of the members of the proposed body held positions in the army and would be able to continue the war so long as they wished to fatten their purses.⁴³ This brought Vane out from cover with a demand that Reynolds should be "questioned" by the Commons, but he was voted down.⁴⁴ It was evident not only that the opposition to the measure was strong but that the body of the House was infected with suspicion of it. A substitute measure whereby the Commons named their own members and the Lords likewise was discussed but was finally laid aside.⁴⁵

Things were going very badly for Vane's plans, but he was quick to try another tack. A committee was appointed who were to join with a committee of the Lords to receive from the Scottish commis-

⁴⁰ This account is based on D'Ewes's and Whitacre's diaries for February 3. D'Ewes's is Brit. Mus., Harl. MSS. 166, and February 3 is f. 7; Whitacre is Add. MSS. 31,116, and February 3 is f. 113.

⁴¹ Whitacre, February 3, f. 113.

⁴² *Ibid.*

⁴³ *Ibid.* Also *Merc. Aulicus* for the week ending February 10, 1644.

⁴⁴ *Ibid.*

⁴⁵ Whitacre, February 3.

sioners "what they have to communicate".⁴⁶ In this way perhaps the Commons could be brought to see their duty. The commissioners from the north presented their credentials and asked that "some of both Houses might be appointed to advise with them".⁴⁷

It was no doubt in answer to this request that the Commons appointed a new committee with John Crewe as chairman.⁴⁸ The committee acted with great promptness. On the seventh of February they were able to make report. The report indicates clearly that Vane and St. John had been quite as active on the new bill as on the Lords' ordinance which the Commons had rejected. The Committee of Both Kingdoms was to consist of exactly the same fourteen commoners and seven lords. The difference was this, that now the Commons were suggesting the names from both Houses where the upper body had named the members before. It is not in the least surprising that the list—already rejected—should in this new form have aroused criticism. There was a strong demand in the Lower House that the names of the commoners should be filled in by the Commons in session, after the measure had been sent to the Lords and the seven peers had been chosen there.⁴⁹ The matter was put to a vote and the committee's form of the ordinance with the names of the commoners all lumped together as in the original ordinance sent down from the Upper House, was passed by a majority of sixty-five to fifty-one.⁵⁰ This was followed by a resolution that the Commons should name the members of the Upper House who were to be put upon the committee, after which a resolution nominating the seven peers formerly named was passed.⁵¹

The Commons' form of the ordinance was much more carefully drawn than the form presented to the Lords. Vane and St. John had learned wisdom from the severe running fire of their opponents in the House and the new edition of their measure was framed and carefully worded to meet all the serious objections without sacrificing the end to be gained. The committee in its negotiations with the Scots was only to propound what it might receive in charge from

⁴⁶ *C. J.*, III. 387. This committee was made up of Stapleton, Holles, St. John, Sir Walter Erle, Pierrepont, Sir Arthur Haselrigg, the two Vanes, Whitelocke, Glyn, Reynolds, and Sir Robert Harley. Reynolds was perhaps placed on this committee as a representative of the opposition in the hope that he might be influenced by the representations of the Scottish commissioners.

⁴⁷ D'Ewes's Diary, February 5, f. 8.

⁴⁸ *Ibid.*, February 7, f. 9. Crewe on the 30th had proposed a committee of two or three to join with the Scots.

⁴⁹ *Ibid.*

⁵⁰ *C. J.*, III. 391.

⁵¹ After the list had been secured a viva voce vote was graciously allowed on each of the fourteen commoners. *C. J.*, III. 391; Whitacre, February 7.

both Houses and it was to report results to both Houses. It was to "advise, consult, order and direct, concerning the carrying on and managing of the War for the best Advantage . . . and likewise with Power to hold good Correspondency and Intelligence with foreign States: And further to advise and consult of all things in pursuance of the Ends expressed in the late Covenant and Treaty". There were provisions, however, that the committee should not treat of the cessation of arms without express directions⁵² and that it was to observe such orders as it should receive from Parliament and that it was to continue for three months and no longer. All the twenty-one members were named in the bill.⁵³

The measure after some discussion was passed and sent up to the Lords on the eighth.⁵⁴ It was to be expected that the Upper House would be in no hurry to take the Commons' bill after their own measure had been so summarily rejected. That there might, however, on that account be no delay the Scottish commissioners were brought again into action. They wrote to the Commons urging haste, who forwarded their letter to the Upper House. The Lords, however, were not easily hurried. A committee of six peers⁵⁵ went over the measure, recommended that more of the Upper House be added to the proposed body, and suggested six new members, four of whom were to be the four members of their own committee not already included in the proposed body.⁵⁶ The quorum they raised from six to nine. But the most telling change was the alteration of the words "order and direct" to "consult and advise". This was to draw the teeth of the measure. The Commons refused to yield a jot,⁵⁷ and in a conference urged the danger of delay. The Upper House now agreed to give up all the changes it had demanded except the alteration of the words "order and direct".⁵⁸

And now the real animus behind all this strife began to be revealed. It cropped out clearly in a statement Mr. Prideaux made in a conference that if the committee were not appointed the war

⁵² A provision that the "violent party" as well as the peace party were no doubt willing to have inserted. It was the one feature of the measure that seemed to John Vicars worth mentioning when he spoke of the measure in his *God's Arke Overtopping the Waves* (1646), p. 147.

⁵³ *C. J.*, III. 392.

⁵⁴ *Ibid.*, 393; *L. J.*, VI. 416.

⁵⁵ Of these only two, Northumberland and Manchester, were among those named in the ordinance.

⁵⁶ *I. e.*, Denbigh, Salisbury, Lincoln, and Pembroke. Lord Howard was also to be added. Thus five members of the former Committee of Safety were to be added to the Committee of Both Kingdoms.

⁵⁷ "We not liking the 6 Lords they had nominated." Whitacre, February 10.

⁵⁸ *C. J.*, III. 397-398.

would be carried on without the two Houses.⁵⁹ In other words the want of such a council was giving the Lord General, Essex, too great a power. It is hardly too much to say that by this time the lines were pretty clearly drawn between the friends of Essex and those who distrusted his leadership. His friends recognized that the new committee was directed against him and his opponents virtually admitted as much. There is some evidence indeed that the Lord General had been so far angered by the efforts to limit his power that he had threatened to resign.⁶⁰ It can easily be seen that most of the Lords would be out of sympathy with the effort to curtail his influence in the war, and it is clear that his following in the Commons was not inconsiderable. His friends urged and with some force that to put over him a committee was to bind his hands in such a way as to prevent the best results,⁶¹ and that it would utterly discourage him.

These points were indicated rather clearly by the reply of the Lords to the Commons.⁶² But Sir Harry was ready for them. He was willing for the moment at least to be conciliatory. If the Lord General, he declared, dissented from the views of the committee, it was in his power to send them the reasons for his refusal to obey them.⁶³ It may be doubted whether Vane was altogether sincere in this statement.⁶⁴ He would have been unwilling, it may be suspected, to have had his words inserted in a resolution. It was a cardinal point of his policy that the Lord General should be kept firmly under control. In his zeal to pass his measure he was probably guilty of saying more than he meant. He went on to move a special committee to prepare reasons why the Commons must stand by the words "order and direct". The committee was voted and retired for a few minutes when Vane, who must, says D'Ewes, have had the reasons all made out before, returned to the House⁶⁵ with

⁵⁹ *L. J.*, VI. 423; see also *C. J.*, III. 308.

⁶⁰ *Merc. Aulicus*, for the week ending February 17. Of course the evidence of the Oxford organ on a point of this sort must not be taken too seriously. It would, however, have been strictly in character for Essex. See e. g. *L. J.*, VII. 300.

⁶¹ D'Ewes, February 12, f. 11 (verso).

⁶² Manchester and Northumberland, both of whom were named to be on the committee, seem to have supported Essex in this affair.

⁶³ D'Ewes, February 13.

⁶⁴ Baillie wrote (II. 141) that the opposers of the measure for the committee "did work on the facilitie of the Generall, deaving him with demonstrations of his limitation and degradation by this Committee".

⁶⁵ D'Ewes, February 13. In this document he emphasized the danger of delay if the Lord General should wait to consult with the Houses. It was assumed that the Lord General ought never to act independently.

the report and moved that the question be put. To this there was at once vigorous but useless opposition. Vane's friends, "knowing that they had the great number of Voices joyned with them", kept calling for the question⁶⁶ and easily carried the vote that the Lords should again be informed that the Commons could not accept their amendment. Vane, who had ceased to be reticent, was to head the conference with the Upper House.⁶⁷

The Lords were now weakening. They decided to make a compromise with the Commons. On the recommendations of the Lord General himself, who reported from the committee in charge of the matter, they promised to agree with the Lower House on the words "order and direct" if the proposed committee were authorized to continue for six weeks⁶⁸ instead of for three months. But the Commons had not the slightest intention of coming half-way. By the Lords' scheme the ordinance would continue "untill the Lord Generall's army were recruited and . . . then the power of ordering and directing would be resumed to the Lord Generall alone".⁶⁹ The Commons stuck firmly to their own form of the ordinance and insisted that the Lords should pass their measure, urging the dissatisfaction of the Scottish commissioners at the delay. On the 16th of February the Upper House gave in⁷⁰ and passed the ordinance in the form demanded.⁷¹

⁶⁶ D'Ewes, February 13.

⁶⁷ The Commons offered in conference elaborate reasons why they could not accept the Lords' suggested alterations. *L. J.*, VI. 425-426. Briefly they took the position that the Lord General's power was not abridged, because the final power of ordering and directing the war belonged to the two Houses and it was this reserve power of the Houses that was now delegated to the committee.

⁶⁸ D'Ewes, February 14, f. 12; *A Perfect Diurnal*, February 12 to 19; *The True Reformer*, February 10 to 17.

⁶⁹ Whitacre, February 16, f. 116 (verso).

⁷⁰ Of the surrender D'Ewes remarks (February 13): "And soe in the issue of a few dayes after to the admiration of many men, the Lords receded from their own Unanswerable reasons and submitted to the house of Commons, and the Lord Generall did hereby receive much discontent and discouragement."

⁷¹ The surrender of the Lords seemed more of a concession than it really turned out to be. Not until a fortnight later did it become known that two days before they finally yielded to the pressure of the Commons they had passed a resolution designed to minimize the importance of their concession. They had declared and put it upon their minutes that "notwithstanding any Order or Direction given by that Committee of Both Kingdoms, the Lord General might have power to dispense therewith if he saw cause and appeale to a further direction of both houses". Whitacre's Diary, March 1, f. 120. In the Journals (*L. J.*, VI. 426) the resolution read, "when the Lord General at any Time receives Directions from the Committee appointed by both Houses of Parliament . . . if he see Cause to the contrary, he may suspend the Execution thereof, until he have acquainted both houses of Parliament therewith". As a matter of fact this

The Lords had been forced to their knees. Essex was under the orders of a committee none too friendly to him, a committee that would push the war with vigor. The Independent clique at Westminster had made a start on their career of political victories. Most important of all, the complex affairs of a great war were to be administered by a central and efficient executive body. Space forbids telling the story of the three struggles that followed before the committee was finally and fully accepted. The oath of secrecy was rejected by the Lords in March, but passed in July. The effort on the part of the peers to refer the negotiations of peace with the king to a new committee was foiled and the Committee of Both Kingdoms was given charge of the negotiations. Finally, when the three months' time limit was expiring, the question of the renewal of the committee provoked a bitter war between the two Houses, a war in which the Lords were finally outwitted by a clever ruse on the part of Vane and St. John, and the committee was continued with increased power.

In all these struggles the alignment was pretty much the same. Vane could count on a narrow majority in the Commons and the Lords were forced in prolonged conferences to yield point after point. That spirit of compromise which we associate with English character was foreign to Sir Harry. He had his utmost will. The committee was put entirely in charge.

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resolution was never of any practical importance in any issue between the Lord General and the committee, but it revealed the real cause of the Lords' long hesitation and it served greatly to irritate the Commons and to bring on an *impasse* in March over the question of secrecy.

THE QUIT-RENT SYSTEM IN THE AMERICAN COLONIES

ONE of the most distinctive features of English land-tenure in the sixteenth and seventeenth centuries was the quit-rent. This customary charge upon the soil was naturally included in a colonial land system that was modelled after English precedents. But in establishing the quit-rent in the New World important problems were presented. In England it was the result of a gradual evolution; in the American colonies it was imposed as an initial charge upon a new soil. From this inherent difference arose many problems of effective collection and enforcement. The comparative isolation of the colonies from the mother-country, and the independent tendencies of the inhabitants, expressed through their representative assemblies, increased these difficulties. Inevitably the quit-rent system became involved in the numerous economic and political problems of the colonial era.

The quit-rent was a survival of feudalism. During the Middle Ages the villeins of England gradually commuted their food and labor dues to an annual money payment which came to be known as a quit-rent, because by it the land was freed from all feudal dues except fealty. This quit-rent became an annual fixed and heritable charge upon the land, and created a socage tenure.¹ The statute *Quia Emptores*, the scarcity of labor resulting from the Black Death, and the fall in the value of land due to the rise of trade and industry, accelerated the process of converting the varied feudal dues into fixed quit-rents, and by the beginning of the sixteenth century money rents had become general.²

The imposition of the quit-rents in the American colonies emphasized their relation to the mother-country as fiefs of the crown. The feudal notion of land-tenure, that the soil belonged to the crown, who either collected the feudal dues, chiefly in the form of quit-rents, or else transferred this right to the proprietors, was carried to the New World. This feudal notion may be traced in all the early charters. At first the right to reserve a quit-rent was not

¹ Vinogradoff, *Villainage in England*, pp. 291-292 and 306-307.

² Finlason, *History of Laws of Tenure of Land in England and Ireland*, p. 54; Pollock, *Land Laws*, p. 72. It is interesting to note the early commutation of the feudal dues into quit-rents in the palatinate of Durham, whose form of government furnished the model for the proprietary provinces. *Victoria County History, Durham*, II. 183.

emphasized. The patents to Sir Humphrey Gilbert, Sir Walter Raleigh, Sir Robert Heath, and the Council of New England merely granted the land, to be disposed of as the patentees pleased.³ This general provision was construed as conferring the right to reserve quit-rents by both Sir Humphrey Gilbert and the Council of New England.⁴ The charter of Virginia, which gave all landholders direct tenure under the crown, made a quit-rent possible when the land was finally distributed.⁵ With the gradual tightening of imperial control the feudal relation of the colonies to the crown, as indicated by the quit-rents, was made more definite. Beginning with the grant of Maryland in 1632, and including those of Maine, the Carolinas, and Pennsylvania, the proprietary charters expressly transferred the right of the crown to reserve a rent. Also, by waiving the statute *Quia Emptores*, they permitted subinfeudation. Quit-rents were mentioned in the grants to the Duke of York, and still later, in the charter of Georgia, by the reservation of a rent of 4 shillings per 100 acres.⁶

The theory that the crown held a feudal ownership in the soil of new possessions was not confined to the thirteen American colonies. In the grant of Newfoundland in 1637 to the Marquis of Hamilton and his associates a proprietary control, involving a quit-rent, was created.⁷ A further extension of the feudal theory of land-tenure was made when the proclamation of 1763, which framed the governments of Quebec, East and West Florida, and Grenada, provided for a quit-rent system as a sign of the royal supremacy.⁸ A similar policy was observed in the British West Indies, where the land was granted to proprietors who collected quit-rents, or else bore a quit-rent charge payable directly to the crown.⁹ In fact, the quit-rent was a part of the general colonial policy of the British crown, and was not a charge imposed upon the colonies along the Atlantic sea-

³ Thorpe, *Constitutions and Charters*, I. 40-50, 54, and 70; III. 1834.

⁴ Osgood, *American Colonies*, I. 10-11; *American Antiquarian Society Proceedings*, 1867, pp. 97-105.

⁵ Thorpe, VII. 3780; Bruce, *Economic History of Virginia*, I. 556ff.

⁶ Thorpe, II. 771; III. 1633, 1638, and 1641; V. 2749-2750, 2768, and 3042.

⁷ *Cal. of St. P. Col.*, I. 260.

⁸ *Annual Register*, 1763, pp. 208-212.

⁹ The crown reserved a quit-rent in Jamaica and the Caribbee Islands. The old Providence Island Company also imposed a quit-rent. The Bermudas Company does not appear to have reserved rents, though after the cancellation of the charter the royal governor was instructed to take measures to fix the rents in its possessions. In Barbados and the Leeward Islands the four and one-half per cent. export duty was in lieu of all rents. *Cal. of St. P. Col.*, I. 228-229 and 429-430; V. 114-115; IX. 349 and 501; XI. 664; XII. 270; XV. 416.

board only. As a means of emphasizing imperial control its success became of the utmost importance.

I.

The first breakdown of the quit-rent system occurred in New England. The Council of New England reserved a quit-rent in all of their earlier grants, including the first patent to Plymouth.¹⁰ But by transferring all their rights in the soil of Massachusetts Bay and Plymouth colonies to the respective corporations in 1629, the Council wrote the doom of the quit-rent system in their remaining possessions.¹¹ Though the associates of Plymouth and Massachusetts Bay might have established quit-rents, no definite steps to carry out such a plan were taken. Apparently there were no permanent quit-rents in the Plymouth colony, and few, if any, in Massachusetts Bay. In both colonies public opinion opposed a quit-rent, and in 1650 the Body of Liberties, by forbidding all feudal incidents, effectually barred the quit-rent system from Massachusetts soil.¹²

The establishment of free tenure of land in Massachusetts must be held to have been largely responsible for the failure of the quit-rent system in other parts of New England. This influence was a noteworthy factor in thwarting the elaborate scheme of Gorges to found a feudal state in Maine. When his government failed, his quit-rent system also collapsed. In 1664 his grandson attempted to collect rents in Maine, but with little success.¹³ Finally, the purchase of all rights in the soil by Massachusetts secured free tenure of land in Maine. The influence of the free land-tenure of Massachusetts was felt in New Hampshire also. Though John Mason apparently made no efforts to collect rents from his colony,¹⁴ his heir attempted to enforce his rights in 1661.¹⁵ Such bitter opposi-

¹⁰ *Am. Ant. Soc. Pro.*, 1867, pp. 98ff. The first Plymouth patent, which imposed a rent of 2 shillings per 100 acres, payable after 7 years, was made out in the name of John Peirce, trustee. Taking advantage of the wording, Peirce took out a second patent in 1622 which would have made the Plymouth colonists his personal tenants. The Council, however, declared this latter patent void as far as the Plymouth colony was concerned, and asserted that the settlers were its own tenants. *Ibid.*, pp. 91-92; *Mass. Hist. Soc. Col.*, fourth series, II. 158-163.

¹¹ Thorpe, III. 1844 and 1848.

¹² The lease of land at Pocasset to Captain Benjamin Church cannot be termed a quit-rent, since it was not perpetual, but for one year only. Yet it shows a tendency toward a quit-rent. Osgood, I. 428.

¹³ Williamson, *History of Maine*, p. 282; *Maine Historical Society Collections, Documentary History of Maine*, VII. 343-350; *Prince Society Publications*, XIX. 196.

¹⁴ *Ibid.*, XVII. 74.

¹⁵ *Ibid.*, p. 49.

tion arose that little was accomplished. A more determined effort was made in 1680, and Governor Cutt was instructed to bring about an agreement between Robert Mason and his tenants. Mason, himself, came as secretary of the province. His agents caused general uneasiness, threatening to sell the lands of all persons who did not comply with his demands, and the Council finally appealed to the king. The agitation was revived in 1683 when the governor issued a notice that, unless new grants which included a quit-rent were sued out within one month, all further right of appeal to the king would be forfeited. A number of suits were brought to oust landholders who refused to pay rents but no definite results were secured.¹⁶ Mason sold his claims to Samuel Allen, and they were finally dropped.¹⁷

The fatal mistake, if a system of quit-rents was to be established in New England, had been made in the terms of the land patents of Massachusetts Bay and Plymouth colonies. Once the people of any one colony were allowed to institute a free tenure of land, the quit-rent in adjacent territories was doomed. Wherever the Massachusetts colonists went, they carried with them a spirit of opposition to any perpetual charge upon the land. This opposition spread to the Connecticut valley. When George Fenwick considered the imposition of a small rent charge upon lands at Saybrook, he found that the colonists would not permit it. With deep irony, he revealed the New England spirit of independence: "We must all here be independent and supreme lords of our own land."¹⁸ Reflecting this temper, the freemen of Connecticut and Rhode Island secured charters with provisions guarding against any future imposition of quit-rents.¹⁹

Despite the former failure, the British government included quit-rents in the scheme for bringing New England under more stringent imperial control. Accordingly, the instructions to Andros required the reservation of a quit-rent in all future patents in New England.²⁰ Maintaining that the annulment of the charter invalidated all titles to land in Massachusetts, Andros required a quit-rent as a condition of all renewals. Immediately there arose an indignant protest against this attempt to establish a general system of rents. A number of writs of intrusion were issued and many persons, frightened by these proceedings, sued out new patents which included a quit-

¹⁶ *Ibid.*, pp. 111 and 120-122; Thorpe, IV, 2450.

¹⁷ Palfrey, *Compendious History of New England*, III, 320-321.

¹⁸ Transcript from Barrington Letters, Egerton 2648, f. 1, Conn. Hist. Soc.

¹⁹ Thorpe, I, 536; VI, 3221.

²⁰ *N. Y. Col. Doc.*, III, 545.

rent. But popular indignation refused to tolerate such proceedings. This attempt to impose quit-rents upon estates which had for so many years paid no such charge, was cited by the men of Boston as one of the grievances justifying the revolution against Andros.²¹

The failure of the quit-rent system in the New England colonies was a potent factor in stirring up opposition in New York, and also in East Jersey where there was a large Puritan population. The very attempt of the crown to re-establish quit-rents in New England was probably in part a recognition of this influence. Perhaps this same influence even spread to Pennsylvania, though here local conditions, also, militated against the effectiveness of the quit-rents. In Maryland, however, and the Southern colonies, the quit-rent system became firmly rooted during the colonial period. Doubtless a most potent factor in securing this result was the closer reproduction of English local institutions in these colonies than in those farther north. With the county and the parish, the quit-rent was accepted as the customary form of land-tenure.

Even in the colonies where the quit-rent system became established many influences were at work to prevent its complete success. The amount of the rent could be only nominal for, if the burden became too heavy, settlement would be retarded. Then the constant interference of the landholders, through their representative assemblies, with the quit-rents caused frequent clashes between two opposing points of view. The proprietor wished to obtain the greatest actual returns from the rents; the tenants were determined to reduce the burden or even to evade it. On the whole, these difficulties were more apparent in the colonies in which the rents were paid to the crown—New York, Virginia, the Carolinas after 1729, and Georgia—than in those in which the rents were paid to proprietors—the Jerseys, Pennsylvania, and Maryland. Yet in all the colonies important problems were necessarily involved in working out a quit-rent system on a new soil and at a great distance from the overlord.

II.

The difficulty of establishing a quit-rent system largely determined the amount of the annual rate. The rents varied in the different colonies, usually between 2 shillings and 4 shillings per 100 acres with a tendency to reach, but rarely to overstep, the latter rate. Where a uniform rate was established in the early days of settlement, and where few changes were made in the rate, the system was most successful. This was true especially of Maryland and Vir-

²¹ *Prince Society Publications*, V, 16-17 and 143; Palfrey, III, 529-530.

ginia. In Maryland a quit-rent of 2 shillings per 100 acres, which was reserved in practically all the early patents, was increased in 1671 to 4 shillings per 100 acres for all subsequent patents.²² In Virginia a rent of 1 shilling per 50 acres, reserved in 1618, continued throughout the colonial era.²³

On the other hand, the effect of varying rates with frequent changes was seen in Pennsylvania. Before 1713 the usual rent was 1 shilling per 100 acres, but on lands patented after 1719 the rent was increased to 2 shillings per 100 acres. In 1732 the rent to be reserved in new patents was fixed at one halfpenny per acre, and in 1768 at one penny per acre. In addition many special rates were made for various purposes. The rents varied from such mere tokens as a red rose, an Indian arrow, or a bushel of wheat, to several shillings per 100 acres.²⁴ This confused policy was largely responsible for the unsatisfactory collections in Pennsylvania. Conditions were even worse in New York. The few rents under the Dutch were merely nominal, and the early British governors made little effort to found a uniform rent system. Frequently only mere signs of feudal tenure were reserved, such as one beaver skin annually for the great Mohawk grant. After 1710 a rent of 2 shillings 6 pence was reserved in all new patents, but the large holdings at nominal rentals greatly impeded collections.²⁵

An intercolonial influence, which kept the rents in all the colonies near a general level, was especially noticeable in North Carolina. In 1669 the original rent for the Carolinas, one halfpenny per acre, was increased to one penny per acre.²⁶ Already Sir William Berkeley had signed a number of grants on the northern borders with a rent of 2 shillings per 100 acres, the usual rate in Virginia. Though these patents were confirmed, the proprietors of the Carolinas ordered that all future grants must pay the customary rate in the Carolinas. The people of North Carolina refused, and rather than lose intending settlers, the proprietors assented to the lower rate. After the purchase of the proprietary rights by the crown in 1729 a rent of 4 shillings per 100 acres was reserved in both the Carolinas.²⁷ This rate was eventually extended to Georgia. At first the trustees of Georgia had attempted to burden the land with an exorbitant rent of 20 shillings per 100 acres. This rate was impossible in view of the

²² *Maryland Archives*, III. 47-48; V. 63-64.

²³ Bruce, *Economic History of Virginia*, I. 556ff.

²⁴ Shepherd, *Proprietary Government in Pennsylvania*, pp. 34 and 37-38.

²⁵ Osgood, II. 39-40; *N. Y. Col. Doc.*, IV. 392; V. 83 and 179-180.

²⁶ Thorpe, V. 2755 and 2785.

²⁷ *North Carolina Colonial Records*, I. 172-176 and 237-238; III. 144.

low rents in South Carolina, and formed one of the chief causes of the economic distress in the colony. After the surrender of the colony to the crown the rate in South Carolina, 4 shillings per 100 acres, was promptly put in force.²⁸

Few exemptions from the quit-rents were allowed. The general policy was to guard carefully the rights of the crown or the proprietor in the soil, and some form of rent was almost invariably charged. The most noteworthy exceptions were lands used for public purposes in East Jersey, Pennsylvania, and the Carolinas.²⁹ Rents were occasionally waived in both Maryland and Virginia in order to secure settlers on the western frontier as a protection against the French and Indians.³⁰ Yet the results were only moderately satisfactory.

Special rates were sometimes instituted for definite purposes. This was done by Maryland on lands under dispute with Pennsylvania, and by New York on the New Hampshire grants.³¹ In neither case were the results satisfactory in securing recognition in disputed lands. By far the most important instances of special rates were those inaugurated to encourage the building of towns. In Maryland, lots in St. Mary's, the first town projected, were offered free of rent, but in 1683 a special rent of one penny per acre was imposed upon all town lots.³² In Virginia, however, only the usual rent, 2 shillings per 100 acres, was reserved on town lots. As an inducement to improvements the law exempted from rents, land filled in for quays and wharf-space.³³ Other colonies established special rates for town lots, but nowhere was the amount of the rents from this source large. In South Carolina the rents on town lots were even waived as not worth the trouble of collection.³⁴ The comparatively few instances of special rates, or of exemptions, indicate an unmistakable policy to create a uniform quit-rent system within each colony. Such a policy was most important as securing better collections, and, above all, more effective imperial control.

III.

After the determination of the amount of the quit-rents, the next important problem was the inauguration of adequate schemes of col-

²⁸ *Georgia Colonial Records*, III, 412; Jones, *History of Georgia*, I, 487.

²⁹ *N. C. Col. Rec.*, I, 91-92; Thorpe, V, 2544 and 3044.

³⁰ Instructions, 1749, Proprietary Papers, Md. Hist. Soc. MSS.; *Md. Arch.*, XXVIII, 25; *Virginia Magazine of History*, XII, 346; *Dinwiddie Papers*, I, 370.

³¹ *Md. Arch.*, V, 54-55 and 63-64; *Documentary History of New York*, IV, 574.

³² *Md. Arch.*, III, 47-48; VII, 613.

³³ Henning, *Statutes at Large*, III, 412.

³⁴ Trott, *South Carolina Laws*, p. 543.

lection and enforcement. Though the working out of a scheme of collection was properly the prerogative of the overlord, the assemblies frequently interfered. This tendency, however, was notably absent in Maryland where an excellent system of collection under direct proprietary supervision was one of the main features of the most successful quit-rent system in the American colonies. As established in 1733 this scheme provided for a collector in each county who was directly responsible to proprietary agents. By careful supervision of all accounts and the discharge of inefficient agents, the proprietors of Maryland were enabled to secure highly satisfactory returns.³⁵ In the neighboring province of Pennsylvania were seen the results of interference by the assembly, and of unbusiness-like methods on the part of the proprietor. No adequate rent-rolls were ever made out, nor did the proprietor exercise sufficient authority over the receiver-general; consequently the system of collection was never satisfactory.³⁶

The ill effects of popular control of the rents were shown most markedly in the colonies where they were collected by the crown. In Virginia attempts to establish an effective system of collection involved a long struggle for control between the governor and the office-holding class. In the earliest days of the colony the treasurer or his deputy collected the rents; later the sheriffs assumed this duty. Many abuses attended such a scheme of collection by officers, themselves usually landowners, who sided with the tenants rather than with the crown.³⁷ Attempting to secure more control over collections, Governor Spotswood proposed a scheme which, while reducing the commission allowed the sheriffs, offered inducements to tenants who paid their rents directly to the receiver-general. This plan was forced through the council in spite of the bitter opposition of the office-holding classes, led by Colonel William Byrd.³⁸ The ultimate failure of this measure to secure the desired results showed that the only way to secure an effective system of collection was to appoint collectors who were directly responsible to the governor. The continued opposition of the office-holders, represented by the council, defeated this last reform, and the old abuses continued. As the sheriffs were under no adequate supervision, they became exceedingly careless. One particularly reprehensible individual settled

³⁵ *Md. Arch.*, XXVIII. 54 and 67-68.

³⁶ Shepherd, pp. 38-44; Miller, *Charters and Acts of Pennsylvania*, pp. 31-33; King's MSS. Transcripts, no. 206, p. 237. Library of Congress.

³⁷ Bruce, *Economic History of Virginia*, I. 557 and 562-563; *Spotswood Letters*, II. 21-22.

³⁸ *Spotswood Letters*, II. 265-269; Ludwell MSS., II. 15, Va. Hist. Soc.; Bassett, *Writings of William Byrd*, pp. lvi and lviii.

for many years on the basis of a roll which he never altered. His successor found that the names of many persons who had been dead for years were listed, while many large landholders had never been entered.³⁹ Such abuses were frequent and were the result of the failure of the governor, the natural guardian of the royal interests, to secure proper control over the rents.

The effects of popular control over the rents were accentuated in the measures for their enforcement. While the assemblies allowed distraint upon personal property, they exhibited a strong opposition to forfeiture of the land as a penalty for failure to pay the rents. In Virginia this attitude was forcibly shown after Governor Spotswood had secured a law which declared the land forfeited after three years' failure to pay rents. In response to popular opinion the assembly soon annulled this measure by prohibiting any forcible means, except distraint, for the collecting of rents.⁴⁰ A similar incident in South Carolina threatened at first to cause serious difficulty. The proprietors attempted to require from all patentees an agreement to forfeit the land if the quit-rent became six months in arrears. When the tenants refused their assent to this condition, they were informed they could leave the province. The controversy which followed was brought to an end by a compromise measure passed by the assembly which required that distraint, only, should be employed in collecting the rents. The independent tendencies of the people were again exhibited in 1731 by a law which excepted from distraint so many classes of property that this penalty was rendered practically impossible.⁴¹

Occasional recourse to the courts to collect the quit-rents by suit usually failed, for the juries would side with the tenants against the proprietor. This method was a signal failure in Pennsylvania, largely owing to the bitter controversies between the proprietor and the people.⁴² In New York the tenants openly boasted that no country jury would enforce the rents. Governor Hunter met this braggart attitude by subpoenas to the chancery court, and many persons were compelled to pay their arrears. But so great was the popular uproar that later governors returned to the old, ineffectual system of collecting delinquent rents by distraint.⁴³

The reluctance of the assemblies to permit forfeiture of the land

³⁹ King's MSS. Transcripts, no. 206, pp. 360ff., Library of Congress.

⁴⁰ *Spotswood Letters*, II. 265-269; Henning, IV. 41, 79-80, and 491.

⁴¹ Smith, *South Carolina as a Royal Province*, p. 29; Trott, *S. C. Laws*, 45ff. and 544-559.

⁴² Shepherd, pp. 38-39; Miller, pp. 31-33; Franklin, *Laws of Pennsylvania*, 1739, p. 207.

⁴³ *N. Y. Col. Doc.*, V. 499 and 848; VI. 4-5.

rendered practically impossible the enforcement of rents on unimproved tracts. This problem of the quit-rents was therefore closely connected with the effective organization of the land system in each colony. It was a general policy of the crown to render unprofitable, by the enforcement of rents, the holding of large unimproved tracts. Yet popular opposition usually frustrated such efforts even when the necessary measures had been secured. Numerous land frauds added to the large arrears of rent. For example, many persons held by fraudulent surveys more land than their patents called for, while the failure of others properly to register grants frequently prevented adequate rent-rolls. Whenever the governors attempted to remedy such conditions, they encountered bitter opposition. Where the land-office was well organized, and the governor persisted, a few reforms resulted. But, on the whole, the victory lay with the tenants.

The effect upon the rents of a badly organized land system may be traced in nearly all the colonies. In Virginia, especially, great losses resulted from large grants which had never been patented, and, consequently, were not entered upon the rent-rolls. Attempting to remedy this situation, Governor Spotswood secured a law which permitted any one to patent, on one year's notice, land that paid no rent. For a time the effect was good, but the law was easily evaded. Finally, it failed so completely that Governor Dinwiddie found fully 1,000,000 acres, which had been taken up by survey, but had never been entered upon the rent-rolls.⁴⁴

In South Carolina extensive land frauds caused much loss in the rents. Often patented lands were not listed in the rent-rolls. Also many persons held more land than their patents called for. Henry McCulloh, who was sent as special commissioner to secure the payment of rents, induced the assembly to pass a measure in 1744 which was designed to remedy these conditions. But by inserting measures which practically destroyed the force of the law, the assembly plainly showed the temper of their constituents. The old evils continued, and on the eve of the Revolution no adequate rent-roll had been made out in South Carolina. The receiver-general confessed that, had he not held office for twenty-five years and thus known the people, he could not have collected any rents at all.⁴⁵ Great losses in the quit-rents of New York were caused by vast unimproved tracts that were held at only a nominal rental.

⁴⁴ Blathwayt's Journal, Transcript, II. 349-350, Library of Congress; Sainsbury Abstracts, IX. 131-132, Va. State Library; *Dinwiddie Papers*, I. x.; Henning, III. 529.

⁴⁵ Thorpe, V. 2785; Smith, *South Carolina as a Royal Province*, 57ff. and 67ff.; *South Carolina Acts of the Assembly*, May 29, 1774; King's MSS. Transcripts, no. 206, pp. 525-526, Library of Congress.

On other large holdings no rent at all was paid, nor were the efforts to remedy the situation successful. In 1701 owners of unimproved tracts in Albany, Westchester, and Richmond counties were called upon to pay their rents, or else have their unenclosed lands entered upon. But popular opposition greatly hindered the success of this measure. The subdivision of many of these tracts by numerous sales added to the difficulties in collecting rents. Many persons feared that owners of single shares might be called upon for the rent of an entire tract. Finally the assembly provided for the partition of all joint holdings, except village commons. Unfortunately this law held the freeholders of each town responsible for the rent of a delinquent tenant, and though provision was made for reimbursement, this last clause stirred up great opposition. A few lots were offered for sale under its provisions but the popular opposition proved too strong, and the governors feared to enforce the law, owing to its bad effects upon frontier settlement.⁴⁶

The spirit of opposition that hindered the enforcement of the quit-rents was occasionally manifested in open hostility, especially in the middle colonies where the influence of New England was chiefly felt. Of all the colonies, outside of New England, East Jersey most bitterly and most successfully opposed the quit-rents, and of the people of East Jersey the most determined were the immigrants from New England who settled on the Monmouth and Elizabethtown patents. Claiming that the title to their lands rested upon Indian grants which had been confirmed by the governor of New York, they refused to recognize the right of the proprietors to reserve a quit-rent upon their holdings.⁴⁷ The Monmouth patents were speedily brought under proprietary control, but the more determined associates of Elizabethtown would neither pay rents nor sue out new patents. In face of the energetic policy of the proprietors the active opposition collapsed. Yet the actual returns from the rents showed little increase, for the proprietors had to depend upon the assemblies, which represented the popular attitude, for measures of enforcement. When Willocks was sent in 1697 to receive the rents, the troubles broke out afresh. Finally, the proprietors surrendered the government of the province to the crown, though they still retained their rights in the soil.⁴⁸

As governor of East Jersey, Lord Cornbury was instructed to

⁴⁶ *N. Y. Col. Doc.*, V. 11 and 653-654; VII. 486-487 and 900-901; Livingston and Smith, *Laws of New York*, I. 46-47; II. 63-72.

⁴⁷ Tanner, *Province of New Jersey*, pp. 36, 39, and 59-60; *New Jersey Archives*, I. 45.

⁴⁸ Tanner, pp. 63 and 79; *N. J. Arch.*, I. 170-171.

secure an act from the assembly recognizing the rights of the proprietors. The assembly promptly passed an ineffective measure which practically nullified any attempts to collect rents from the associates of Elizabethtown. Such a law represented the general attitude of opposition to rents. When a controversy arose between the governor and the board of proprietors, however, the assembly sided with the latter. This sudden change of front was probably due to the fear that the crown might eventually take over the quit-rents, and enforce collection.⁴⁹

In 1744 the proprietors made a vigorous attempt to enforce their rights in East Jersey. After a number of writs of ejectment had been served, the popular wrath broke forth. The rioters were imprisoned, but the people quickly released them. As the assembly sided with the people, force could not be employed, and a free pardon was offered all offenders.⁵⁰ The board of proprietors then filed a test suit in the chancery court which demanded the payment of all arrears in rent by the associates of Elizabethtown, or the Clinker Rights Men as they were popularly called. This test case was greatly delayed, probably because the governor leaned toward the popular side. The French and Indian War, followed by the Stamp Act agitation, diverted attention from the suit, and it was never heard.⁵¹ This virtual victory of the associates of Elizabethtown, which really ended all hope of collecting rents in East Jersey, had great influence in stirring up opposition in neighboring colonies.

Though no active hostility to the inherent right to impose quit-rents was displayed in the Southern colonies, there was a strong undercurrent of opposition. In Maryland it assumed the form of repeated attempts by the assembly to control the collections. This object was achieved from 1716 to 1733 when the quit-rents were waived by the proprietor in favor of a 2 shillings export duty on each hogshead of tobacco. At the expiration of this agreement, the lower house made a number of attempts to renew it, asserting that the old method of paying the rents was burdensome to the tenants. As the average quit-rent in Maryland was insignificant, only about four shillings four and three-fourths pence per taxable inhabitant in 1756, this claim was hardly sincere. The entire movement may be construed as a sign of the popular determination to free the colony,

⁴⁹ Leaming and Spicer, *Grants and Concessions*, pp. 628-629; Nevill, *Lives of New Jersey*, I. 1-2; Mulford, *History of New Jersey*, pp. 293-299.

⁵⁰ Hatfield, *History of Elizabeth*, p. 367; Mulford, pp. 349-350.

⁵¹ *Bill in the Chancery of New Jersey, Proprietors against Persons of Elizabethtown* (New York, 1747), pp. 26, 47, and 66-67; Hatfield, pp. 370-372.

as far as possible, from external control.⁵² A similar intention was responsible, certainly in part, for the determination displayed by the office-holders of Virginia to control the collection of rents. This spirit went so far in Virginia in 1716 as to induce the assembly, with the connivance of the council, to petition the crown for the surrender of all rents.⁵³

The opposition in Virginia was largely due to arbitrary grants of the rents. In 1649 Charles II. granted to Lord Culpeper, Sir John Berkeley, and the Earl of St. Albans the quit-rents of the Northern Neck, lying between the Rappahannock and the Potomac. This grant was renewed in 1669, and in 1672 the rents of the entire colony of Virginia were granted for thirty-one years to Lords Culpeper and Arlington. Such vigorous protests followed this last attempt to convert Virginia into a proprietary province that in 1684 the crown bought back the rents of all but the Northern Neck. The tenants petitioned for the purchase of these latter rents as well, but their plea was not heeded. The rents of the Northern Neck descended to the Fairfax family by whom they were collected with little friction.⁵⁴ Yet the arbitrary power exercised by the crown in these grants naturally provoked a feeling of unrest in Virginia, and a resulting opposition to the quit-rents.

A grant of part of the rents of North Carolina aroused more serious opposition than did the similar grants in Virginia. In 1743 the quit-rents of North Carolina, from the Virginia line to 35° 41', were granted to Lord Carteret in compensation for his share in the Carolinas. This grant led to great abuse. Many fraudulent acts were committed by the proprietor's agents, and a number of riots occurred. Yet the crown paid no attention to a petition from the assembly praying for the purchase of Carteret's rights. The grievances attending this special grant formed one of the chief causes for subsequent discontent in North Carolina.⁵⁵

The influence exerted by the tenants, through their representative assemblies, was frequently shown in determining the medium of payment. The scarcity of ready money, especially in the seventeenth century, made a specie payment practically impossible. The assemblies usually undertook to solve the difficulty by declaring legal the forms of payment that were economically convenient. As

⁵² Mereness, *Maryland as a Proprietary Province*, pp. 80-85; *Md. Arch.*, XXV, 259, XXX, 397-399 and 626 ff.; Council Proceedings, August 23, 1756; Rent Rolls and Account Books, Calvert Papers.

⁵³ *Spotswood Letters*, II, 181.

⁵⁴ Osgood, III, 248-252; *Va. Mag. of Hist.*, I, 223; McDonald Transcripts, VI, 338-339, Va. State Library.

⁵⁵ Raper, *North Carolina*, 109ff.

these laws were always subject to the royal or proprietary consent, compromises were frequently made in regard to the commodities to be accepted and the rate of exchange. Yet when controversies arose, the tenants, through the assemblies, usually won. During the seventeenth and the eighteenth centuries tobacco formed the chief medium of payment in Maryland and Virginia. In both colonies the rate of exchange and the quality to be accepted became important problems. The successive attempts of the assembly to fix the legal price of tobacco in Maryland threatened much controversy, until, in 1671, the proprietors agreed to accept tobacco in payment of quit-rents at 2 pence per pound, about twice its real value, in consideration of an export duty of 1 shilling per hogshead of tobacco. This agreement continued up to 1716 when a 2 shilling duty was accepted in lieu of all rents. The popular fear that the proprietor would make an undue profit ended this agreement in 1733. The rents then became due in money, but tobacco continued to be received, though the rate of exchange caused no further trouble.⁵⁶

Tobacco payments for rent caused much trouble also in Virginia. Until 1662 when the assembly fixed the legal value at 2 pence per pound, the tobacco was accepted at the current rate. As much unmerchantable tobacco was paid in, the crown finally repealed the law of 1662. The burgesses strenuously denied the constitutionality of this action, and by a compromise, arranged in 1688, the quit-rents were made payable in tobacco at one penny per pound. The continued use of trash tobacco was stopped in 1713 by a law that required all payments of the rents to be made in inspected tobacco.⁵⁷ In 1754 the crown reduced the rate of exchange on tobacco payments of rents to three farthings per pound. But the price of tobacco fell so rapidly that the depreciated paper money became the only possible medium of paying the rents. Though in 1765 the sterling exchange was only 65 per cent., the crown was obliged to accept this colonial currency, since to insist upon a money payment of rents in the midst of the Stamp Act agitation would have been suicidal.⁵⁸

A similar situation developed in the Carolinas also. At first the rents were payable in money or its equivalent. But in 1682 the proprietors ordered payment in money only. Immediately great opposition arose, and in 1696 the proprietors were compelled to accept

⁵⁶ Alienation fines were included in both agreements, but their amount was very small. *Md. Arch.*, II. 284, 386-387, and 515-517; Upper House Journal, July 24, 1716, and Lower House Journal, June 3, 1733, *Md. Hist. Soc. MSS.*

⁵⁷ Hening, II. 31; Bruce, *Economic History of Virginia*, I. 561-562; *Spotswood Letters*, II. 61-62.

⁵⁸ *Letter-Book of Richard Corbin*, II. 58-59 and 69-70, *Va. Hist. Soc. MSS.*

a law which made the rents of South Carolina payable in commodities as well as money. As a compromise, however, the rate of exchange was to be determined by a board of appraisers, one-half appointed by the assembly, the other half by the governor and council. This agreement continued in force until the rents came under royal control when they became due in proclamation money.⁵⁹ Apparently the medium of payment caused no further difficulty in South Carolina, but in North Carolina, where the rents had been settled in tobacco, strong opposition was shown to a settlement in proclamation money. The lower house maintained that the Grand Deed to Albemarle had given the tenants in North Carolina the perpetual right to pay their rents in the same medium as in Virginia. Though the council, sitting as an upper house, sided with the governor, the popular pressure proved too strong, and the lower house won their point. The abuse of this victory by the tenants, who proffered the worst grades of tobacco in payment of the rents, made a reform finally necessary. Native products continued to be accepted, but the governor controlled the rates of exchange and the quality.⁶⁰

The varied influences provoking opposition to the quit-rents greatly reduced the actual returns. In the middle colonies, where the most active hostility was shown, collections were proportionately unsatisfactory. The quit-rents reserved in Pennsylvania from 1701 to 1778 amounted to £182,248 12s. 10d., but only £63,697 8s. 3d., or a little over one-third was collected.⁶¹ Collections were equally bad in New York. In 1698 £3,000 was due from the rents, but only from £200 to £300 was realized. In 1767 the rents of New York were valued at £1,806 7s. 9d., but the arrears were £18,888 16s. 10d., with little probability of collection.⁶² The situation was fully as bad in East Jersey. As a result of the long continued controversies the arrears in 1746 amounted to fully £15,000.⁶³ In West Jersey no serious attempt was made to collect the rents at all.

In the Southern colonies, including Maryland, where there was less active hostility, collections were somewhat more satisfactory than in the middle colonies. The slight opposition shown in Maryland, together with the well-organized system of collection, resulted in the largest returns from the quit-rents in any colony. The gross value of the rents in Maryland in 1690 was about £5,000.

⁵⁹ Smith, *South Carolina as a Royal Province*, pp. 29-30; Trott, *S. C. Laws*, 45ff. and 544.

⁶⁰ Raper, pp. 120-121, 130, and 187ff.; Swann, *North Carolina Laws*, October, 1748, ch. iv.

⁶¹ Shepherd, pp. 87-88.

⁶² *N. Y. Col. Doc.*, IV. 419; V. 552; VII. 900-901.

⁶³ *Bill in the Chancery of New Jersey*, App., p. 6.

but nearly one-third was lost in collection. With a gradual increase in both gross and net value, the quit-rent, just before the Revolution, had an actual value of £8,297 11s. ¼d., with a loss of not over 10 per cent. in collection.⁶⁴ In Virginia the failure to establish an effective system of collection resulted in less satisfactory returns than in Maryland. In 1697 the revenue from the rents was estimated at about £800.⁶⁵ Though the rent-rolls showed a steady increase, inefficient collection prevented proportionately satisfactory returns. In 1762 the gross value of the rents in Virginia was £4,396, but £16,160 was due the crown on account with only £5,000 on hand.⁶⁶ Collections in the Carolinas were proportionately even less than in Virginia, averaging in North Carolina only £1,000 annually between 1741 and 1744. In South Carolina the gross value of the rents was not over £1,800 and returns were exceedingly meagre. The returns in Georgia were also insignificant.⁶⁷

IV.

The right to appropriate the returns formed perhaps the chief advantage of the quit-rent as a means of imperial control. Theoretically, as representing the ownership of the overlord in the soil, the quit-rent was his private revenue. Yet this theory was more consistently observed in the proprietary colonies than in those in which the rents were paid to the crown. The absolute right of the proprietor to the revenue arising from quit-rents was unquestioned in Maryland. In Pennsylvania a tendency was shown to question this right, when the assembly asserted in 1701 that the rents were levied for purposes of government. This claim was summarily disposed of by Chief Justice McKean who held that the rents had been reserved as the private property of the proprietor and that they represented his ownership in the soil.⁶⁸ Despite this decision, in 1756 the assembly levied a tax upon the quit-rents to help defray the expenses of the French and Indian War. The proprietors denied the legality of such a measure and their contention was upheld by the crown lawyers to whom the matter was referred. A compromise was finally effected by a gift of £5,000 from the proprietors.⁶⁹

⁶⁴ Lord Baltimore's Account Books and Rent Rolls, Calvert Papers, Md. Hist. Soc. MSS.

⁶⁵ Bruce, *Institutional History of Virginia*, II, 579, note.

⁶⁶ Letter-Book of Richard Corbin, II, 9-11 and 25, Va. Hist. Soc. MSS.

⁶⁷ *N. C. Col. Rec.*, V, 101; Smith, *South Carolina as a Royal Province*, p. 66; King's MSS. Transcripts, no. 206, pp. 212-213, and 525-526, Library of Congress.

⁶⁸ Shepherd, pp. 67 and 90-91.

⁶⁹ *Ibid.*, p. 446ff.

In the royal colonies the revenue from the quit-rents was theoretically under the control of the crown as overlord. Since the rents were frequently employed for local purposes, the assemblies tended to assert authority over them, but the policy of the home authorities was to allow expenditures from the quit-rents only with the royal permission. This policy was especially noticeable in Virginia. At first, when the amount was small, the quit-rents of Virginia were expended for local purposes at the discretion of the assembly. But in 1685, when the rents had become more valuable, orders were issued which strictly prohibited any expenditure from this fund, except on the personal warrant of the crown. This policy, which was reaffirmed under William and Mary, and Anne, created, from the quit-rents, a revenue of the crown the disposal of which was wholly independent of the assembly.⁷⁰ The value of such a source of income, in rendering the royal government independent of local control, is obvious.

While maintaining control of the revenue from rents, the crown often issued warrants authorizing expenditures for extraordinary expenses. Lord Culpeper was allowed compensation from the rents for his claims to the quit-rents of all Virginia outside of the Northern Neck. Occasionally grants were made to aid local interests, including an appropriation in 1692 of £1,985 14s. 10d., to found the college of William and Mary. At the same time the crown issued warrants upon the rents, for £100 for the salary of the commissary of the Bishop of London, and for £400 annually for three years to supplement the meagre stipends of the Virginia clergy. The salary of the commissary continued to be paid from the quit-rents, but only on special warrants. The college of William and Mary was also aided from time to time from this fund.⁷¹ Other warrants were often granted from the quit-rents for extraordinary military purposes. Such expenditures from the rents were made to defray the cost of erecting a fort at Jamestown, and for numerous shipments of military stores to Virginia. Occasionally the quit-rents were employed to supplement the royal revenue in other colonies. New York received aid from this source in her constant struggle against the French and Indians, while, in 1711, the entire balance on hand of the quit-rents was granted to help equip the forces sent against Canada.⁷²

⁷⁰ Bruce, *Economic History of Virginia*, I. 563-564; Blathwayt's Journal, Transcript, I. 286 and 698-699; III. 64, Library of Congress.

⁷¹ Blathwayt's Journal, Transcript, I. 597, 658-659, and 705; II. 461-464; III. 38-39, Library of Congress; Sainsbury Abstracts, III. 623, Va. State Library; Letter-Book of Richard Corbin, II. 36, Va. Hist. Soc. MSS.

⁷² *Spotswood Letters*, I. 103; Blathwayt's Journal, I. 655-656 and 698-699; II. 29-32 and 224; Ludwell MSS., vol. II., no. 14, Va. Hist. Soc.

The quit-rents were also employed in Virginia to supplement the 2 shillings duty for the ordinary purposes of government. This aid, however, was granted only for the salaries of officers directly dependent upon the crown.⁷³ It is interesting to note one exception: the commissioners appointed to settle the boundary between Virginia and North Carolina were paid from the rents in 1713.⁷⁴ The payment of royal officers from the quit-rents, in cases of emergency, continued throughout the colonial period. In 1766 when the colony was in the midst of the Stamp Act agitation, as much as £1,255 was drawn out from the rents for this purpose.⁷⁵ This payment pointedly illustrated the inherent value of the quit-rent as a revenue, independent of the popular will, which might be employed for the support of royal officers.

Besides the allowances granted on special occasions, all the expenses of collection in Virginia were of course defrayed from the quit-rents. These expenses included the commissions of the sheriffs, the auditor, and the receiver-general. The balance was transmitted to the crown upon special warrants drawn on the receiver-general. Yet remittances were irregular and large amounts were frequently left in the custody of local officials. A lack of systematic supervision of accounts inevitably resulted in failure to make and transmit full collections.⁷⁶ In spite of this laxity the royal prerogative to dispose of the rents was carefully guarded. In 1714 when the 2 shillings duty was not sufficient for current expenses in Virginia, the burgesses attempted to secure control of the quit-rents. They asserted that, until the crown answered a petition praying that the rents be devoted to the ordinary purposes of government, they would refuse to levy additional taxes. Through the representations of Colonel Byrd, a temporary grant was made. But the burgesses never won the constitutional right to direct the expenditure of the rents, even on extraordinary occasions.⁷⁷

The evident value of the quit-rent as a revenue free from colonial control was recognized by Governor Clinton of New York, who urged, in 1747, the necessity of some form of permanent revenue in order to meet the increasing factional spirit displayed in the colony. A quit-rent of 2 shillings 6 pence per 100 acres on all lands

⁷³ Blathwayt's Journal, I. 597ff.; Sainsbury Abstracts, III. 623, Va. State Library.

⁷⁴ *Ibid.*, VIII. 441.

⁷⁵ Letter-Book of Richard Corbin, II. 72.

⁷⁶ Blathwayt's Journal, Transcript, II. 436 ff., Library of Congress; Letter-Book of Richard Corbin, II. 36ff., Va. Hist. Soc. MSS.

⁷⁷ Ripley, *Financial History of Virginia, Columbia Studies*, III. no. I., pp. 554-555; Sainsbury Abstracts, III. 456, Va. State Library.

in the colony would, he believed, produce annually £4,000, a fund in excess of any ever allowed by the assembly. The practical value of this suggestion was shown in 1762 when Chief Justice Benjamin Pratt was allowed a salary out of the quit-rents of New York, in order to free him from any dependence upon the people.⁷⁸ A similar use of the quit-rents was made in Georgia and the Carolinas, where they were employed to support the royal government, though, certainly in North Carolina, they were never adequate for that purpose.⁷⁹

V.

As a general form of land-tenure in the American colonies the quit-rent system was not wholly successful. This failure resulted from the fundamentally different character of the quit-rent in England and in America. In England it had come as a relief from onerous feudal dues. As such it was accepted without question; at first, as a welcome relief, later, as a customary charge. In America the very circumstances attending the introduction of the quit-rent were different from those in England. The lands which the colonists rescued by their own labor from the primeval wilderness had paid no previous feudal dues. The quit-rent constituted, therefore, not a welcome relief, but a tax upon the land. The colonists finally came to look upon it as an imposition upon the land for the benefit of an outside power. Their independence of spirit added fuel to the hostility. Perhaps even then the quit-rent would have been accepted, such is the power of custom, had it prevailed in all the colonies. But when the plans of the New England Council failed, and the land-tenure in all the corporate colonies became free of feudal charges, the doom of the quit-rent system was sounded. The example of New England soon stirred up opposition in the neighboring colonies. As communication became more frequent, this influence would have made itself felt to a more marked degree in the colonies to the southward, had not the Revolution intervened.

The problems that confronted the crown and the proprietors in establishing the quit-rent system in a new country militated against its success. Separated by long distances from the home government, the colonial governors were at a great disadvantage in carrying out instructions. Their dependence upon the assemblies for measures of enforcement greatly added to their perplexities. In all the colonies, except Maryland, the history of the quit-rent was one of persistent struggles between the governor and the assembly, the

⁷⁸ *N. Y. Col. Doc.*, VI. 395; VII. 501 and 503.

⁷⁹ *N. C. Col. Rec.*, V. 101; *Ga. Col. Rec.*, III. 410.

former representing the crown or the proprietor, the latter the tenants. Compromises became necessary, but usually it was the overlord who surrendered a large part of his claims in order to secure even a measure of respect for his rights in the soil.

Yet from either an economic or a legal standpoint the quit-rents were neither illegal nor unjust. The rates were not excessive, the methods of collection never became burdensome, and the economic necessities of the colonies were usually regarded in the mediums of payment. Indeed the quit-rents might be regarded as a just recompense for the expenses incurred in founding a colony. Nor did they represent other than a customary form of taxation. As the colonial possessions formed a fief of the crown, their inhabitants were bound to pay the usual form of feudal dues, the quit-rent, unless such charges had been expressly waived. But with a true spirit of opportunism, the colonial attitude of opposition to the quit-rents disregarded exact legal forms in favor of popular desires.

The quit-rent system assumes its most important aspect as a part of the scheme of imperial control. That the policy of the British government included the quit-rent as the general form of colonial tenure is apparent from its establishment in the West Indies, and in Canada, as well as in the thirteen colonies scattered along the North Atlantic. The determination to reduce all these colonies to this form of land-tenure is shown by the inclusion of the quit-rent in the scheme for strengthening imperial control in New England under Andros. The importance of the quit-rent in such a plan lay in its possibilities. Once established, it would have rendered the royal or proprietary officials free from that most effective limitation upon their power, dependence upon the assemblies for their financial support. This possibility was recognized in a practical fashion in New York, while the policy, so consistently observed in Virginia, of keeping this revenue free from control by the assembly, showed that the crown fully appreciated the importance for the purpose of the quit-rent then. Governor Dinwiddie recognized its value when he proposed a general land-tax, similar to the Virginia quit-rent, of 2 shillings per 100 acres. Such a tax, he believed, by bringing in fully £60,000 annually, would relieve the royal government of the necessity of depending upon unreliable assemblies for financial measures.⁶⁰ Had the policy of buying out the proprietors, which was begun in the Carolinas, been continued, and had the New England colonies been brought back under the quit-rent system, this plan would have been altogether feasible.

⁶⁰ Beer, *British Colonial Policy*, p. 45, note 4.

Indeed, much of the opposition to the quit-rent system arose from a recognition of its possibilities as a perpetual revenue the expenditure of which was free from local control. This aspect of the quit-rents was pointed out by the Virginia assembly in the several acts which decreed the abolition of this system of feudal dues.⁸¹ This hostility was inevitable, even had the Revolution not hastened its expression. The possibilities arising from the use of the rents to strengthen imperial control were too apparent. Such an antiquated system of land-tenure was bound to fail when it came in contact with the independent spirit of the New World.

BEVERLEY W. BOND, JR.

⁸¹ Hening, IX. 127-128; X. 64-65.

SAXON-AMERICAN RELATIONS, 1778-1828

AMONG the European countries that watched the struggle for American independence with the keenest interest was far-away Saxony. Here, as among other peoples of the Continent, there was a sentimental interest in the outcome; but that was far from being the true cause of the Saxon's lively concern in the contest. The real reason was more direct and more material in character. It lay in the prospect of establishing profitable trade relations with the New World, hitherto closed by the monopoly exercised by the mother-country. Not possessed of a sea-coast it would at first thought seem as if Saxony could have only a very remote interest in a conflict several thousand miles across the seas. Quite the opposite was the case however. No other region of Germany had progressed further in industries and trade, and no other people was more thoroughly alive to the advantages of new markets. The great fairs of Leipzig were frequented by merchants from all parts; no other city on the Continent could rival it in the importance of its trade. It was in fact the distributing point for central Europe. "Most of the commerce between the east and the west of Europe passes through it", wrote Adams in a report to Washington in 1779.¹ Three decades later the secretary of the Chamber of Commerce of Lyons, who was deputed by Montalivet to make a special investigation of the trade conditions in Germany, reported to Napoleon: "The Leipzig Fair is the great market for northern Europe, especially for manufactured articles". He pointed out further, that most of the manufactures of France found a ready sale there; that merchants from every part of Germany, from France, Italy, Austria, Poland, Russia, Turkey, and the Danubian provinces, and even from Asia, consorted there; that in former times the English were strongly represented; that the volume of trade was very large, and the business spirit of the people keen and venturesome.²

It was natural therefore that after the overthrow of the English monopoly of trade with the American colonies, the prospect of new

¹ Adams to Washington, August 4, 1779. Wharton, *Diplomatic Correspondence*, III, 285. William Carmichael writing from Berlin, September 29, 1782, says, "The ministers of Prussia and Saxony seem much disposed to induce their courts to open a direct commerce with America, particularly if the war continues." *Ibid.*, V, 785.

² Archives Nationales, series AF., IV, 1061. Report of M. Mottes, submitted to the emperor on November 19, 1810.

markets should have aroused the greatest interest in this highly developed business community. Extravagant expectations prevailed as to the opportunities for Saxon trade, opportunities which seemed the more assured because, even before the definitive peace was signed, a heavy demand for Saxon products for America made itself felt at the Leipzig mart.³ Besides, had not England prospered so greatly, largely because of her colonial trade? And now that her monopoly had been overthrown, and the Americans were hostile to her, what more natural than the belief that the Continent of Europe would take the place formerly occupied by England in the trade with America? It happened too that in all negotiations between the United States and Europe for at least three decades after 1778, the

³ "The fairs of Leipzig have drawn considerable advantage for four years from our trade. This power will see with pleasure the moment which shall put the last hand to our independence." Adams to Washington, Wharton, III, 284.

Compare also the following from the reports of the Leipzig marts: "Von den Hamburgern sind vorzüglich ordinaire Tüche, Chemizer, baumwollene Waaren und andere nach Nord-Amerika brauchbare Artikel aufgekauft worden. Ueberhaupt hat der in jenem Welttheil sich neuerlich eröffnete freye Handel zum glücklichen Erfolg der diesmaligen Messe nicht wenig beygetragen, da ausser den Hamburgern auch die Holländer und mehrere nach Amerika speculirende Handelsleute von verschiedenen Orten grosse Parthien Waaren erhandelt haben. Aus hiesigen Landen ist der Hof-Commissaris Mühlberger nach Hamburg abgegangen um sich da selbst mit einer ansehnlichen Pacotille, die seinem Vorgehen nach, grössten theils in hier zu Lande gefertigten Kleidungs Stücken als Tuch, Kleidern, Hemden, Stiefeln, Schuhen bestehet, nach Nord-Amerika einzuschiffen. Ueber dies sind von einigen Leipziger, Zittauer und andern inländischen Kaufleuten, theils einzeln, theils in verschiedenen Kleinen Societäten unmittelbare Waarenversendungen nach Boston und Philadelphia gemacht worden, und ferner zu erwarten. Gleichwohl ist die Errichtung einer Actiëcompagnie zum directen Handel nach Nord-Amerika, worauf vor Kurzem angetragen worden war, noch ausgesetzt geblieben, und es hat die Handelschaft zuförderst ihr Gesuch erneuert, dass Ihre Churfürstl. Durchl. gefällig sein möge eine mit hinlänglichen Handels Kenntnissen versehene Person nach Nord-Amerika zu senden durch welche sichere Erkundigung von allen Theilen der dasigen Handlung zum Unterricht der hiesigen Kaufmannschaft eingezogen und das diesseitige Handels-Interesse überhaupt in jenen Gegenden nachdrücklich befördert werden könne—welchen Gesuch man dem Etranger Département des Churfürstl. Geheimen Cabinets in Verfolg der von daher in Sache vorhin erhaltenen Veranlassungen unvorzüglich communicirt hat. Während dass jetzt . . . in Deutschland von allen Seiten auf Nord-Amerika speculirt wird, fällt dagegen allmählig nach Endigung des Seekrieges, die bisher von Dänemark nach West Indien getriebene ansehnliche Handlung." Königlich-sächsisches Hauptstaatsarchiv, Dresden, Loc. 2235, Acta, Mess-Relationes, vol. III., f. 366, Easter mart, 1783. For fuller statement concerning the Mess-Relationes see p. 530, note 37.

The following from the foremost Leipzig newspaper is also indicative of the prevailing interest. "London den 15 April. Sobald als der Handelstrat mit den Amerikaner geschlossen ist, gehen viele Personen nach Amerika. Ein gewisser reicher Mann steht bereit mit Dr. Franklin in Unterhandlung um dem Congress 20,000 Morgen Landes abzukaufen. Achtzig Familien haben ihm ihr Wort gegeben, dort hin zu ziehen und selbige aufzubauen." *Leipziger Zeitung*, April 26, 1783.

commercial interests dominated. In many cases treaties, largely of a commercial nature, were made, as for example by Sweden in 1783, and by Prussia in 1785, while negotiations for similar agreements were carried on by the Netherlands, Austria, Denmark, Portugal, Tuscany, and even Morocco.⁴

That Saxony was not behind in urging her claims in this matter through diplomatic channels is attested by a voluminous correspondence on the subject by her ambassador, Schönfeld, in Paris, by frequent letters and despatches by her ministers at other courts, notably at Madrid and Berlin,⁵ and by a very careful investigation of the matter by the Foreign Department of the government. Schönfeld's efforts to bring Franklin and later the other commissioners, Adams and Jefferson, to enter into an agreement proved fruitless. Indeed the American representatives at Paris seem not to have taken the question as seriously as they might, for they scarcely refer to it in their correspondence. Nothing daunted, however, Saxony's industrial and commercial classes, which were of course vitally interested, continued to conduct an active campaign outside of the regular channels of diplomacy. The government was finally persuaded to send a special agent to America; lists of the manufactures of Saxony were advertised in the American papers through houses recommended by Franklin; a joint-stock company for trade with America was organized; large private trade ventures were made by her citizens, accustomed through the great Leipzig marts to business on a large scale; and finally during the activities of the "Elb-Amerikanische Compagnie", the first Saxon commercial agents or consuls were, in 1826, accredited to the chief seaports of the United States.

The story of these vigorous and determined, though on the whole unsuccessful, efforts, has a threefold interest. In the first place, it reflects not only the general attitude of Europeans toward this country, but also the personal impressions of at least one shrewd observer who visited the chief cities and men of America immediately after the Revolution. In the second place, it reveals with remarkable clearness the direct and practical influence of the Revolutionary and

⁴For a discussion of these negotiations see the recent article by E. C. Burnett, "American Commercial Negotiations, 1776-1786", *AMERICAN HISTORICAL REVIEW*, April, 1911, XVI, 584 ff.

⁵*Cf.* note presented by the Foreign Department to the king on May 3, 1783. "Nachdem die Anerkennung der englischen Colonien in Nord-Amerika als unabhängiger Staat, wie in andern Ländern, so auch im chursächsischen Aussichten zu neuer Handels Verbindungen eröffnet hat, so sind die deshalb im Voraus eingezogene, und besonders von der diesseitigen Gesandtschaft in Madrid eingegangenen . . . Nachrichten und Vorschläge . . . abgegeben." Kgl. Sächs. H. S. A., Loc. 2420, "Acta, Die Eröffnung eines unmittelbaren Handels nach Nord Amerika, und Errichtung einer diesfalsigen Handlungs Societat betrff. Ao. 1783."

Napoleonic wars on the commerce and industry of Europe. And finally, it affords striking illustrations of conditions in Saxony itself during the critical period when the results of the English industrial revolution were crowding her industries to the wall. Apart from the prospect of large profits, which were confidently expected from the American trade, the necessities of the industrial situation in the later period drove the Saxon to seize upon the most unpromising means of keeping off the economic ruin which stared him in the face.

As early as September 21, 1778, Schönfeld, the Saxon ambassador at Paris, writes to his government in some detail on the French-American commerce and on the possibilities of providing a market for Saxon wares by a policy similar to that pursued by France. He enumerates the various articles the French had sent over to America, on which the profits frequently amounted to twenty per cent. and never to less than ten.⁶ A plan for developing a trade route between Saxony and America across France was laid before the government in a memorial addressed to the cabinet on November 11 of the same year, and four years later Schönfeld was actually instructed to sound the French government on the establishment of a Saxon consulate at Nantes for the Saxon-American trade.⁷ In the meantime, also, the Saxon merchants were invited in a more direct way to trade with America by William Lee during his mission as special commissioner to the courts of Prussia and Austria. He visited Leipzig and represented the opportunities and advantages of trade with the American colonies. Lists and samples of Saxon manufactures were given him, and much was expected in Leipzig from his efforts. Later, Schönfeld at Paris took the question up with Franklin, reporting to his government in a cipher letter of August 8, 1782, in which he says:

M. Franklin, who for some time has been much better received by the members of the diplomatic corps because they realize that America will sooner or later become independent and be recognized by all sovereigns, has given me repeated assurances, that in the light of the representations which I have made to him since his arrival in Paris, and the confirmation of these by his fellow countrymen coming from Leipzig, on the subject of the extension of the commerce between Saxony and America,

⁶ Kgl. Sachs. H. S. A., Loc. 2610, "Acta, Den Nord Amerikanischen Handel betrf., vol. I., f. 5. Le désir de servir les Américains contre leurs ennemis a été le premier mobile des expéditions qui ont été faites, et elles ne consistaient d'abord qu'en matières propres au soutien de la guerre. C'est dans ces premiers voyages qu'on a appris à connoître que ce pays étoit dénué de tout qui tient au nécessaire et commode, surtout des matières que la mère patrie lui avait fournies avant la dissension. Les articles de manufactures, branche essentielle du commerce d'Angleterre, méritent d'être nommés les premiers", etc.

⁷ *Ibid.*, ff. 3 and 15.

he would do his utmost to establish with Saxony in particular a bond of mutual advantage, and that after the conclusion of the peace he would be pleased to discuss the points relating to the negotiations.⁸

In its reply, the Saxon government instructed its ambassador to miss no opportunity to further the project, adding: "In awaiting the outcome you will endeavor to obtain from Mr. Franklin in a confidential memoir the information needed to guide us in the future negotiations".⁹ This Schönfeld found a trifle difficult. Two weeks later he wrote that, since he was confined to his room through illness, and since Franklin lived in Passy, he would be unable to talk with him about the proposed treaty before their fixed interview at Versailles on the fifteenth of November. Besides, Franklin had assured him in their last interview that the maritime commerce of the United States would be free, and that when peace was once established, he would not fail to have conferences with him on the subject of reciprocal commerce.¹⁰

Early in 1783 he reported that Franklin had asked for a list of Saxon manufactures.¹¹ This the government promised to send as soon as it could be procured, adding however that a certain Mr. Lee had already obtained such a list in passing through Leipzig in 1779, and expressing its surprise that Mr. Franklin should be so tardy in entering into definite negotiations.¹² Apparently Franklin saw no reason for haste. He was, moreover, as Schönfeld himself states in reporting the news of the American treaties with Prussia and Sweden, too busy with the definitive treaty of peace to take up the question of the relations with Saxony. During an interview with Franklin a few weeks later Schönfeld presented the list of Saxon manufactures and obtained in return the names of two American houses, one in Philadelphia, the other in Boston, which Franklin particularly recommended as "les deux maisons les plus solides", with whom the Saxon merchants might deal without risk of loss.¹³

⁸ *Ibid.*, Loc. 2748, "Acta, Des Kammerherrn von Schönfelds Abschiedungen an den Königl. französischen Hof und dessen daselbst geführte Negotiation betrif." Convol. XXVII., f. 227.

⁹ *Ibid.*, f. 245. Letter from Dresden, September 4, 1782.

¹⁰ *Ibid.*, f. 269. Letter from Paris, September 19, 1782.

¹¹ *Ibid.*, Convol. XXVIII., f. 63. Letter from Paris, February 6, 1783.

¹² Kgl. Sächs. H. S. A., Loc. 2610, vol. I. f. 89.

¹³ *Ibid.*, f. 122. Despatch from Paris, March 28, 1783. The names of these two houses were written by Franklin on an ordinary piece of paper about four by six inches in size, which is bound up in the volume as folio 124. They were Mr. Richard Bache, Philadelphia, and Mr. Williams, Boston. The former saw to it that a list of Saxon manufactures was advertised; e. g., *The Pennsylvania Journal and the Weekly Advertiser*, Wednesday, October 1, 1783: "To the Public, The subscribers have lately received, and have now in their possession, a List of

No further progress was made for another month. In April, Schönfeld writes about the Swedish treaty and of a conversation with the Swedish minister, from whom he learned that the proper form to be used in addressing the United States was the same as that used towards Holland, namely, "Très Chers et Grands Amis Alliés et Confédérés".¹⁴ A treaty with Denmark was also being negotiated, and from Baron de Bloque he learned that young Franklin, the grandson of the minister, would doubtless be sent as minister to Copenhagen. In the meantime, Schönfeld and his government got the idea that Franklin was holding back because Saxony was a competitor of France industrially, and that a treaty between the United States and Saxony might be displeasing to the French. Franklin's favorable attitude at first, says the Minister of Foreign Affairs, did not lead him to expect "that he would actually avoid the matter now by refusing to discuss seriously the means of developing the reciprocal commerce of the two countries, and of assuring to that of Saxony a certain preference". The ambassador was urged to spare no pains in discovering the real reasons of Franklin's reticence.¹⁵ In this he was unsuccessful, though the cordial treatment received from Franklin, by whom he was invited to breakfast in Passy, dispelled all fears as to personal difficulties. As to the supposed difficulty about the informal character of the visiting card he had used in calling on Franklin, he says that Franklin "est d'ailleurs ennemi juré du cérémonial, et ne reçoit ni rend des visites d'étiquette".¹⁶ At the same time he complains of the difficulty of his task. The maritime powers, he adds, possess a distinct advantage in that they can make definite proposals instead of "ouvertures vagues et générales". Early in June he writes that the Portuguese

the Manufactures and Products of the Mines of the Electorate of Saxony; also pattern Cards, with the Price of each particular Article, which may be seen at their Store in Chestnut-street, near Front-street, being sent over for the Information of the Public in general.

"There is also affixed to the above List, the Names of the Tradesmen and Directors of Manufactures in the principal Towns in Saxony; likewise a Price Current of the Linen, Woollen and Cotton Goods fabricated in the Prussian Dominions. Bache and Shee." Cf. also, letter of November 1, 1783, from Messrs. Bache and Shee of Philadelphia to M. Franklin le fils, Kgl. Sächs. H. S. A., Loc. 2610, vol. II., f. 2.

¹⁴ Kgl. Sächs. H. S. A., Loc. 2748. Letter of April 18, 1783.

¹⁵ *Ibid.*, f. 109. Instructions to Schönfeld from the Foreign Office, dated April 27, 1783. Another part of the letter says that in view of the possibility of the ambassador having piqued Franklin through a lack of proper formality in his visiting cards, he is advised to have his official character as minister placed on the cards he uses in calling on the American representative.

¹⁶ *Ibid.*, f. 124. Letter from Paris, May 9, 1783.

ambassador had received instructions to negotiate a treaty with Franklin.¹⁷

About the middle of the month the form of the negotiations changed somewhat. On the 19th, Schönfeld sent home an account of his dealings with Franklin and other Americans, namely, Adams and Jay, then in Paris.¹⁸ A month later in speaking of introducing Thieriot, of whose appointment as commercial agent to the United States by the Saxon government more will be said later, he tells how Franklin received them with much cordiality, but declined to commit himself beyond merely recommending the newly appointed agent. All his efforts to obtain more were fruitless, for Franklin would in no wise transcend his powers, or assume those of Congress, particularly since it might hurt him personally, for, says Schönfeld, "I know through Mr. Adams, the minister of the United States at the Hague and at the same time accredited here on the matter of the definitive treaty", that "M. Franklin n'a plus auprès du Congrès l'ancienne influence, dont il jouissoit, et que la meilleure partie, qu'il ait à prendre, est de finir ses jours en France, où il est réellement chéri et vénéré".¹⁹

From this time forward the question of a treaty seems to have been allowed to rest, pending the investigations and results of Thieriot's mission to America. Schönfeld's correspondence is, with one or two minor exceptions, silent on the subject, save when he transmits information or letters and reports from Thieriot. These began to arrive in the early summer of 1784. They were so unfavorable that the Commerz-Deputation, to which they were submitted for consideration in connection with a memorial that body was preparing on Saxon relations with America, showed much less enthusiasm for the establishment of a commercial treaty with the United States than before.²⁰ At the same time they added that since a commercial agreement with the United States might be of value in the future, when material conditions in America had improved, and since other nations might obtain favored treatment from which

¹⁷ *Ibid.*, f. 136. Letter from Paris, June 6, 1783. During all these months Carmichael's activity in Madrid appears in the despatches of Count Gersdorff to Dresden. Cf. Kgl. Sächs. H. S. A., Loc. 2610, f. 215 *et passim*.

¹⁸ *Ibid.*, Loc. 2748, f. 145. Letter from Paris, June 19, 1783.

¹⁹ *Ibid.*, f. 199. Letter from Paris, July 28, 1783. On the relations of Franklin and Adams, cf. Wharton, *Diplomatic Correspondence*, I. 498-499.

²⁰ Kgl. Sächs. H. S. A., Loc. 2420, f. 51 *et passim*. For the character and the activities of the Commerz-Deputation, see p. 530, note 37. The memorial declares that in Philip Thieriot's report "ist die Beschaffenheit der dortigen Commerce so beschrieben, dass überhaupt genommen aus einem unmittelbaren Handels-Verkehr für hiesige Lande kein wahrscheinlicher Vortheil zu hoffen, sondern vielmehr Verlust oder wenigstens Gefahr zu besorgen seyn dürfte".

Saxony would otherwise be excluded, negotiations for a treaty should be taken up along the line of reciprocal advantages suggested in an appended report. This they held to be all the more necessary because the American plenipotentiaries, Adams, Franklin, and Jefferson, entrusted with full powers to negotiate treaties with the different European states, had formally notified the Saxon ambassador at Paris of their mission and of their willingness to open negotiations as soon as some one endowed with the proper qualifications by the Saxon government should appear.²¹

From a note of the Foreign Department of December 8, 1784, it appears that the elector submitted the question to his cabinet with the request to report on the extent and manner of procedure. The cabinet again referred the matter to the Commerce Commission which reported in November. The recommendations followed a middle course. After the general argument a number of definite objections to the project were raised. First, there was the glutted state of the American market as described by Thieriot, second, the scarcity of specie in America, third, the demand for extended credit, fourth, the lack of capital in Saxony to make this feasible, and fifth, the competition of English manufactures.²² Besides, the United States had on different occasions made known her determination to extend the same privileges to all alike, and to make no distinction in her treatment of the countries trading with her. Nevertheless, since no harm could come from a treaty, the report suggested that the American commissioners be approached on the subject of a treaty based on specific points, which they enumerated under six heads. To these recommendations the cabinet gave its support, suggesting that the ambassador in Paris be ordered to take the necessary steps.²³ But nothing came of these recommendations and the matter seems to have been dropped. In the meantime, Thieriot's mission to America, partly diplomatic and partly commercial, must command our attention.

The reason for sending a special commissioner to represent Saxon interests in the United States is evident from what has been said above. The steps immediately leading up to the appointment appear in a letter from Gorsdorff, the Saxon minister in Spain, to Mr. Carmichael. Gorsdorff writes:

²¹ Kgl. Sächs. H. S. A., Loc. 2610, vol. II., f. 88.

²² *Ibid.*, Loc. 2420, f. 59. For the same reasons, says the memorial, the Saxon merchants have quite given up the idea of a trading company to North America.

²³ *Ibid.*, ff. 51 and 64. Notes of February 5 and 19, 1785.

Sir: I have just received instructions which contain the result of what has been for a long time the subject of our conversations. The trading interest of Saxony has seized with avidity the overtures and details which after our interviews I placed under the eyes of the ministry. Persuaded that the goodness and cheapness of our commodities will give them an advantage in such an enterprise, they have adopted the plan which you have indicated, of sending to America a person who shall look after their interests, and obtain the knowledge indispensable for their direction.²⁴ Their choice has fallen upon a merchant of Bordeaux, a native of Leipzig, whose name is Philip Thieriot, known as a man of probity, intelligence, and good conduct, who is now in Saxony, but will soon establish himself in Philadelphia, to transact business in the character of a merchant, both on his own account and that of others.

The elector has assented to this choice, and permits that for the present M. Thieriot shall hold in America the functions of commissary-general of the commerce of Saxony, with the view of founding mercantile relations between the two countries, and that he may receive the commissions of Saxon merchants, direct their enterprises, and guard and support their interests, both in relation to Congress, and other respects, till circumstances shall make it proper for him to be supplied with more particular directions. For this purpose the oath has been administered to him, and he has been furnished with suitable instructions, and the power of making appointments. He sets off immediately for France, where he has certain affairs to arrange, and he will then be ready to embark from Bordeaux in the month of August.²⁵

For some reason Thieriot failed to get away in August, apparently not leaving Bordeaux till September 25. This proved a serious delay. His little vessel was caught in the early storms of that season, and after forty days, the ship having sprung a leak, he was picked up with his crew by a fishing boat from Boston. They had worked the pumps steadily for fifteen days and fifteen nights, and "more than once", he writes, "we saw ourselves on the point of

²⁴ In a letter to Livingston, Carmichael tells of his suggestions, as follows: "On his pressing me, however, to give him my sentiments on the best means to forward an intercourse between the two countries, I replied verbally that in my opinion the speediest and most effectual method would be to send from Saxony to America a person well acquainted with the commerce of his own country and properly authorised, who, being able to judge on the spot what advantages were to be derived from such intercourse, might immediately treat with Congress if the Elector thought proper." Wharton, VI. 616.

²⁵ *Ibid.*, p. 609. Cf. also Kgl. Sachs. H. S. A., Loc. 2420, f. 3, and Loc. 2610, vol. I., f. 181. Here the facts from the standpoint of the Saxon government are given. In view of the report of the Commerz-Deputation and the investigations of the government, His Majesty is willing to pay the expenses of an agent to America, but he does not regard with favor the suggestion to buy shares in a trading company. Cf. plan for a joint-stock company for direct trade with America, submitted, March 28, 1783, Loc. 2610, vol. I., f. 147. The selection of the agent was left to the Foreign Department and from an entry on June 24, we find that the Kauf- und Handelsmann, Philip Thieriot, has been chosen at a salary of 1500 Thaler a year. Thieriot's instructions as "Commissionaire du Commerce de Saxe" are very minute, occupying 16 pages.

being swallowed up". On October 24 he was landed at Pointe-à-Pitre, Guadeloupe; thence he got to Santo Domingo, whence he sailed for Philadelphia on January 27. Again storms and rough weather overtook him and he was fifty-two days making the passage, arriving at Philadelphia on March 18. Nor was the weather in America much more hospitable. "In the memory of man", he writes, "there has not been so severe a winter." The Delaware continued frozen till the middle of March.²⁶

After presenting his credentials to Morris and Hillegas, he began to look about for indications pointing to the successful carrying out of his mission. In this he was keenly disappointed. Writing to his government on April 12 he says:

My short sojourn here has revealed to me nothing whatsoever calculated to inspire the hope of success for the mission entrusted to me. . . . I am chagrined to see that conditions are so bad that my duty obliges me to declare to your Excellency that there is very little prospect of realizing those lofty ideals of public welfare which your Highness believed might result from a closer union between Saxony and the United States.²⁷

To support his conclusions he submitted a long report which pictured the well-known disordered state of affairs in America during the years immediately following the close of the war with Great Britain.²⁸ Prices of staple commodities, he said, were excessively high, which was the more striking to him because in Europe the belief was general that in the United States there was an abundance of all the necessities of life, such as grain, flour, beef, wood, etc. A cord of wood which ordinarily sold for \$4 then cost \$20, flour was selling at \$11 to \$12 a barrel, and rents were very high. The causes he found partly in the severity of the winter but more particularly in the extreme scarcity of manual labor. Not only had the loss of life in the war been considerable, but at its conclusion, lands were given by Congress to the soldiers, and this, together with other advantages held out to the pioneer to settle inland, denuded the seaboard cities of laborers. Hence also the excessive wages paid to those who remained.²⁹ Again the United States had not as yet

²⁶ Kgl. Sächs. H. S. A., Loc. 2610, vol. II., f. 18. Thieriot's letter from Philadelphia, March 23, 1784.

²⁷ *Ibid.*, f. 23.

²⁸ *Ibid.*, ff. 26ff. This was the first of Thieriot's reports and bears the date of April 12, 1784. Others of equal length and interest followed on April 26, May 30, November 13, 1784, and January 14, 1785, besides short letters at different intervals. In these many features of American life of the period are discussed with unusual intelligence and insight.

²⁹ His astonishment at the payment of a dollar a day for ordinary work is a suggestive commentary on the low rate of wages in Saxony. "La journée du

begun to coin money, and great confusion prevailed as a result. Foreign money was in circulation everywhere, the Spanish piastre, called dollar in Philadelphia, being most in use. He gave the values of different coins in use, saying that in writing, pounds and shillings were used, but that in actual circulation they did not exist, being "monoye imaginaire". Further, each of the thirteen states had a different way of counting or estimating the value both of moneys and weights.

The American, he declared, was frugal in his habits—"n'est point adonné au luxe dans les habillements ni dans les ameublements, sa table est frugale et tout se ressent de son oeconomie". As a consequence articles of luxury were not in demand and could not find a profitable market. Yet this is just what Europe failed to appreciate. No sooner was the war ended than there arrived in all the seaports so many ships from the different countries of Europe bringing an amount of merchandise so prodigious that the market of the richest country would have been glutted. The supply far exceeded the demand. Goods were sold at great loss, lay there till they spoiled, or remained unsold. Europeans instead of considering the taste and actual needs of Americans consulted only the interests of their own particular commerce. Many brought over inferior goods which served to discredit the manufactures of their nation. In view of the American's great need, anything was believed to be good enough for him. Large profits were confidently, even eagerly, expected; and instead, enormous losses—"des pertes immenses"—were incurred.²⁰ To the reasons for this already cited must be added the failure of Europeans to appreciate not only the real needs of the American market, but also the American method of doing business.²¹ In this the English had been much wiser than Continental traders. Having supplied the colonies before the war, they understood the conditions, and now asked only to re-establish business relationships on the old basis. Hence, although their commerce would never be as large as it had been, yet because of the enterprising character of the English merchant, because of his wealth,

plus misérable manoeuvre est d'un Dollar. C'est cette excessive cherté de la main d'oeuvre qui influe sur un infinité de détails." *Ibid.*, f. 27.

²⁰ *Ibid.*, f. 30.

²¹ The many ports of entry and the great distances separating them form another obstacle. "Si les opérations avec l'Amérique étoient renfermées dans le meme pays et dans quelques ports de mer seulement, alors le négociant pourroit donner à son entreprise une certaine combinaison, mais quelle combinaison l'homme le plus éclairé peut il faire à present. Il assortira son expédition dans les articles qui peuvent etre bons et de convenance, mais peut il savoir ce qui se passe dans vingt autres ports de mer, où l'on peut avoir les memes idées que lui." *Ibid.*, f. 30.

which enabled him to grant extended credit,³² and because of the adaptation of his goods, he would secure "une certaine prépondérance sur les autres concurrents".

Nevertheless he considered the possibilities of trade with the United States by other countries, if conducted on a conservative basis, as very good. Enlightened by their recent losses, he thought European merchants would no longer enter upon ventures "in which the imagination, excited by the expectation of large profits, played the greatest part". Moderate profits were possible and practically assured, he thought, but the whole trade should be regarded exactly as trade in Europe. The transportation involved maritime risks that European trade did not have to contend with, but this could be covered by an insurance of from 3 to 5 per cent. according to the season.

After these general comments on the prospects of trade with America, he took up the situation as it affected various articles of Saxon manufacture in detail. Many of these articles, he reported, were well known in Philadelphia, the principal commercial city of the United States, the firm of Wynkoop and Siemen having made imports of Saxon manufactures to the amount of £30,000. Linen and cotton goods were in demand and in these lines Saxon manufactures could readily compete with those of other countries. The same was true of Saxon watches, laces, and cotton stockings. Saxon woolen articles on the other hand could not compete with the English, except the woolen cloth of Saxony which he thought might take well. Further, "les mi soyes, les dentelles blondes, les galons faux ne trouvèrent pas de débit à Philadelphia".

The great difficulty, however, seemed to him to lie in the exorbitant credit, extending from twelve to eighteen months, asked by American business houses, whose soundness could not be guaranteed. It did not seem to him probable that the Saxon merchant would agree to this. Indeed it would be well-nigh impossible for the individual merchants and manufacturers to do so, even if the great distance from Europe, the lack of centralization in American trade and the keen competition from Hamburg, Bremen, and Amsterdam, did not impose other burdens too great for him to carry successfully.

Nor did he regard the idea of overcoming these by corporate effort with favor. The project of securing large profits from trade with America by the organization of a trading company was alluring

³² "Le moindre terme que le negotiant Anglois accorderoit à l'Americain etoit de douze mois." Kgl. Sachs. H. S. A., Loc. 2610, vol. II., f. 29. Cf. also *Evidence before the House of Commons, on the Petitions of London and Manchester Merchants, regarding the Orders in Council* (London, 1808), p. 2 et passim.

but under existing circumstances not likely to succeed. In the first place no honest assurance of profit to the investor could be made, and people would not put money into an enterprise for purely patriotic reasons. The organization of such a company would arouse the jealousy of Hamburg merchants who might retaliate by ceasing to favor Saxon manufactures. It would be necessary to maintain a factory or depot in America, as well as agents, at considerable expense. For these and other reasons, it was better to continue to sell through Hamburg and other Continental ports, taking care to furnish goods at a rate that would compete favorably with those of other countries.³³

As might be expected, the most interesting parts of the reports of this foreigner visiting our country in the first years of its national existence, do not relate directly to his mission. Thieriot was a keen and intelligent observer. He saw not only the interesting play of men and events from day to day but he saw the meaning of things, and became in the end a warm admirer of American institutions. Thus, for example, he shows the liveliest disapproval at first of a judicial system that declines to keep the accused in prison if bail is furnished. Six months later, however, he gives a most favorable account of the grand and petit jury and of ordinary procedure in the administration of American justice. It makes no use, he reports, of chains, of public exposure, or of torture. It actually allows the accused to choose his own judges, and if he is poor it provides him with counsel. There is a democratic freedom in the sessions of the courts that is astounding to the European. A Frenchman, he thinks, would be greatly amused by the plain clothes of the court—"simple quelque fois même très négligée"—and at the free going and coming in the court-room.

The rapidly increasing emigration from Europe and the system of indenture is discussed with much freedom and a clear sense of its significance. By this system the emigrant, although penniless when he arrives, instead of becoming a charge on the state, is provided for till he becomes acquainted with his new surroundings. Thieriot's comments on the political situation do not concern us here.

³³ "Il est cependant possible que sans le secours d'une compagnie les fabriques de la Saxe pourront également prospérer, puisque si elles peuvent soutenir par leur bas prix et la bonne qualité la concurrence, elles auront suffisamment d'occupations par les ordres qu'elles recevront des ports d'Europe. Il semble que l'établissement d'une compagnie ne soit nécessaire que dans l'apprehension que les fabriques manquaient de travail par la suite. Mais encore elles ne manqueront pas d'occupations si elles peuvent établir les articles à bon marché, et si elles en manquoient par ce qu'elles ne pourroient plus les établir qu'à haut prix, l'établissement d'une compagnie seroit alors tout à fait inutile." Kgl. Sachs. H. S. A., Loc. 2610, vol. II., f. 39.

More immediately associated with the carrying out of his mission are the social customs in vogue in Philadelphia. His position, as well as letters from Franklin and Carmichael, admit him to the best society, and there is much entertaining. But contrary to the custom in Europe, "il n'y a ici ni promenade, ni spectacle, l'on ne peut se voir qu'à table, et ce sont des séances de 4 à 5 heures".³⁴ In order properly to participate in this a residence or establishment is necessary. But that is very expensive, even under the strictest economy, and discouraged, he sees, "avec douleur, que par les circonstances je ne suis pas dans le cas de remplir ma mission dans aucun des deux objets de commerce et de politique".

Into his interviews with Morris and his trip to New York, Albany, and Boston, space does not permit us to go. On September 9, 1784, he reported in cipher that his mission was not progressing, that the Americans were not eager to get a treaty with his Highness and that he thought Saxony was showing them more honor than they deserved. "They do not show the same towards us." Hence too, he is "very careful always, in no wise to compromise the dignity of the Elector".³⁵ In January, 1785, after having repeatedly asked to be relieved of a mission which he had given up all hope of carrying to a successful issue, he announced his intention of sailing by the "pacquet boat" which was to sail on the 15th or the 20th instant for Bordeaux.³⁶ A few later letters are from Bordeaux but they are of little interest, and the mission may be regarded as ended.

For the next fifteen years the relations between Saxony and America are not very active. Diplomatically they appear to have ceased entirely. Commercially, however, the intercourse and interest were kept up, and that to a much greater degree than one would expect in view of the great wars of the period. The story of these relations, in which very interesting side-lights are often thrown on the conditions of the time, is found mainly in the excellent *Mess-Relationes*, or official reports of the Leipzig fairs.³⁷ Thus for 1791,

³⁴ Kgl. Sächs. H. S. A., Loc. 2610, vol. II., f. 52.

³⁵ *Ibid.*, f. 94. He adds further that he lets it be known that he came in the interests of Saxon commerce and in the enjoyment of the full approval of his court. The only attempt to open the political treaty he made during his two days' stay with Livingston.

³⁶ *Ibid.* Letter of January 14, 1785. In the latter part of Loc. 2610, vol. II., the paging is discontinued.

³⁷ These official reports to the government were made for the Easter and Michaelmas fairs on the part of the Landes- Oekonomie- Manufactur- und Commerzien-Deputation. This body, which was first established in 1729, consisted after its reorganization in 1764 of a director, a vice-director, 12 assessors taken from the other departments of the government, 3 secretaries, 3 copyists, and a headle. It had charge of all matters relating to industry and trade, and proved a remark-

we find reference to a considerable trade in Saxon linens *via* Hamburg to England, whence they were sent to America. The United States, so the commission goes on to say, was again supplying practically all its manufactured necessities from England. But the demand was so great that German wares were needed to supplement the English. These were shipped either direct or by way of England. For example, a Budissin woolen manufacturer at the Easter fair in 1796 reported an order of 300 dozen pairs of stockings from Bremen for America. Hamburg too, says this report, was buying unusual quantities of cotton goods for America and Spain. At the same time it draws attention to the fact that the war was deflecting trade into new channels. "Der Caffee z. b. werde am häufigsten über Philadelphia, Charlestown, Halifax, und New York bezogen."²⁸ Experienced merchants maintain that of all the enormous amount—between 35 and 36 million pounds—of coffee imported in the previous year, at least one-half came from American ports. Most maritime countries of Europe were at war, which threw commerce to the neutral flag, and American shipping made extraordinary progress. Added to this growth in the commerce of the United States was a corresponding increase and development of her agriculture and population, so that the American market steadily became of increasing importance to Europeans.

The effect of this was, as we have noted, to establish trade relations with Germany, notably with Hamburg and Bremen, which in turn had a very important bearing upon Saxon industries.²⁹ Both at the Easter and at the Michaelmas fair in 1797, Budissin again reports "grosse Bestellungen aus Bremen zu weiter Versendung in die Nord-Amerikanischen Freystaaten". American hides at Leipzig were so plentiful that the price had gone down greatly. Manufacturers of Upper Lusatia had had continued and increasing demands through Hamburg for white and colored cotton goods, but on account

ably efficient body. It was located at Dresden but for the Easter and Michaelmas fairs the director and one or two members, together with the necessary staff, usually spent three weeks at Leipzig, making searching and often detailed reports to the government on the state of trade and industry. These are particularly good for the period from 1780 to 1800. They are found in Kgl. Sachs. H. S. A., Loc. 2235, "Acta, Der Landes- Oeconomic- Manufactur- und Commerciens-Deputation, Mess-Relationes". For the years 1729-1787, vols. I. to IV.; for the years 1788-1799, Loc. 2236, etc.

²⁸ *Ibid.*, Loc. 2420, ff. 100-105. The parts of the reports dealing with this subject for 1791-1801 have been transcribed from the complete reports and brought together here.

²⁹ For the relations between Hamburg and the United States there are the excellent studies by E. Baasch, *Beiträge zur Geschichte der Handelsbeziehungen zwischen Hamburg und Amerika* (Hamburg, 1892).

of the disturbance caused by the French to shipping for North America, much of this had stopped. The woolen-stocking trade through Bremen had likewise ceased for the time. A temporary revival in the cottons of the Upper Elbe early in 1798 after the stagnation of the previous summer was of short duration. Before the next mart conditions again changed. The report for the Easter mart of 1798 declares that the renewed demand of last year by Hamburg and Bremen for Saxon cottons had suddenly ceased; even the shipments that had been forwarded were still lying at these places owing to the dangers to commerce because of the war. The insurance on goods for North America on neutral ships rose to 12 and 15 per cent. For the same cause there was a dearth of American hides in the Saxon markets. Still the report of the Michaelmas fair, following, is to the effect that the demand for the cotton manufactures of Upper Lusatia for America was increasing in spite of the high rate of insurance on ocean transport. In 1799 the orders for woolen stockings and for white and colored cottons again came in, and the prospects for the future seemed excellent, the trade with North America bidding fair to offset the loss of the Spanish, Italian, and Dutch markets. The following year, 1800, the orders for white and colored cottons, which were now for South America also, and came not only from Hamburg and Bremen, but likewise from England, were so large that they could not be filled.

Unfortunately, however, the extended credit granted by the seaport merchants had caused them heavy losses and in many cases bankruptcy, which in turn was threatening Saxon manufacturers, who had borrowed heavily from the Leipzig bankers in order to support the system of selling on extended credit. The speculation in colonial products, the high prices of sugar, coffee, and tobacco, which were exchanged in America for Saxon goods, are discussed in the official reports, and the hope is expressed that the failures in Baltimore and Charleston may not react too seriously on the European situation. As a result of these, the report of the Michaelmas mart for 1800 says that since the second half of 1799 orders for the American trade had practically ceased to come in. Besides it would take some time to restore the confidence of Bremen and Hamburg houses doing business with North America. Nevertheless even under these conditions some orders from Bremen continued to come in. But the Saxon manufacturers were unwilling to risk their goods on the old conditions, demanding full security or guarantees for payment. The same condition prevailed with respect to trade by way of England. Nor did the next year bring any relief. The

report for the Easter mart of 1801 adds further, that because of the heavy shipments of Silesian and Saxon cottons the market in the American trading ports had been glutted (*überführt*) and prices very much depressed.

The result of these conditions was naturally very serious in the manufacturing regions of Saxony. Much complaint was heard against a system which made the domestic industries dependent upon the middlemen of the German seaports and of England. Indeed it was largely because of the losses suffered in this way, that the demand for the establishment of a direct trade with America again arose. To obtain this much-desired result the manufacturers and merchants who took up the matter urged, first, the formation of a trading company, and second, the appointment of a Saxon *chargé d'affaires* in the United States. The first vigorous movement in this direction occurred in 1801 and it came as a direct result of the economic conditions described above.⁴⁰

Thus we find the Department of Foreign Affairs occupied in May of that year with an important petition from the manufacturers of Dresden and Upper Lusatia which asks that a resident consul be appointed to the United States, in order to promote the interests of home manufacture and trade with that country. The petitioners state that upon "the opening of the French wars the export of Saxon cotton goods to Spain and Italy became impossible, and that shipments to England were made with great difficulty"; that this "interruption in the regular trade worked greatly to the advantage of commerce with America", and that through the large trade in colonial wares from the West Indies and South America by way of the United States considerable profits were to be made by the sale of Saxon manufactures in the western hemisphere. Unfortunately, however, the Saxon manufacturer was dependent on Hamburg and Bremen and on the representations of young and often inexperienced men from these cities who had gone to America. He was unable to decide as to the reliability of American merchants, and since these traded only on extended credit, heavy losses had been incurred. All this the petitioners assert would be overcome by the appointment of a competent commercial agent.⁴¹

The question was again investigated with great care. A survey of previous action on the subject of Saxon-American relations was prepared, and the Commerce Commission and the merchants of

⁴⁰ Kgl. Sächs. H. S. A., Loc. 2420, f. 10ff.

⁴¹ *Ibid.*, Loc. 2610, toward the end of the volume. The petition was presented on May 8, 1801, and bears the signature of representative business houses of Budissin, Lobau, Herrnhut, Zittau, and Dresden.

Leipzig and Zittau were asked for their opinion.⁴² They reported favorably, while from Hamburg came a statement of trade possibilities by a former Saxon subject who had resided for five years in America, that gave the government much favorable material for thought.⁴³ He discussed the precise nature of Saxon trade interests in America and argued that the prospects for the future were excellent, since the United States must, from the very nature of things, remain for a long time dependent on Europe for her manufactures. Full reports on the whole subject were submitted in the spring of 1803, but because of the renewal of the wars and for other and more domestic reasons, no action was taken.

During the domination of the Continent by Napoleon, the prospects for direct commercial relations with America were too remote to receive much thought in Saxony, even if nearer and more immediate interests had not absorbed the attention of government and people. As is well known, the ports of Hamburg and Bremen were early brought under the Continental system, colonial wares were debarred, and thereby not only a barrier put across Saxony's line of communication with the outside world, but the very importations which were the necessary complement for a profitable export of her own manufactures were denied her. Into the question of how far these measures were successful and what was their effect upon Saxony's development, we cannot enter here. It may be said, however, that both English and colonial goods continued to make their appearance in abundance at the Leipzig fairs during all of this period.⁴⁴

After the overthrow of Napoleon at the great battle of Leipzig, there was an outburst of Saxon industry and trade. But it was not of long duration. To the exhaustion of the long wars were added the severe and unwise restrictions upon the commerce and industry of Germany which followed the reorganization of Europe at the Congress of Vienna. Nor was this all. What was equally disastrous to the infant industries of Saxony was the blighting effect of the unequal competition with England. For, as is well known,

⁴² Kgl. Sächs. H. S. A., Loc. 2420, ff. 74-91.

⁴³ The letter is by Krumbhaar and is dated at Hamburg, May 13, 1801. He is, so it turns out later, an aspirant for the position of agent.

⁴⁴ Cf. on this subject, A. König, *Die Sächsische Baumwollenindustrie am Ende des vorigen Jahrhunderts und während der Kontinentalsperre* (Leipzig, 1899). Of interest is a report from Bourrienne to Napoleon in 1809 in which he gives a graphic account of the contraband trade in eastern Germany concluding with the opinion: "On peut regarder le commerce d'Angleterre avec l'Allemagne comme presque intièrement rétabli." Département des Affaires Étrangères, Correspondance Politique, Hamburg, vol. 120, f. 276.

England had gone very much farther in her industrial development than the Continent, where the disturbing influences of the wars had retarded and in places entirely stopped an industrial revolution only just beginning when the French Revolution broke out. Thus we find that a few years after 1815 English goods began to appear again in such quantities at the Leipzig fairs that the Saxon manufacturers were threatened with ruin. As early as 1817, for example, the English agent Morier writes to Castlereagh from Dresden:

I have the satisfaction to inform your Lordship that the last Michaelmas Fair was much more favorable to British manufacturers. . . . Not only were there larger quantities of Manchester cottons and merchandise sold, but the prices were five per cent. better than before. And I am happy to add that notwithstanding this advance in the prices in our manufactures, they still undersold those of this country.⁴⁵

Here we have the key to much of the industrial struggle of Saxony as of other Continental states in the next two decades. The industrial crisis begun at this time lasted for many years. Capital was obliged to find new and more profitable fields of investment, while many of the old lines were abandoned or allowed to lie dormant for the time being.⁴⁶

As is usual under such conditions all sorts of expedients to obtain relief were tried. Among these, the development of new markets for Saxon goods, particularly in America, is again conspicuous. The first region where it took definite shape was on the Upper Elbe, not at Leipzig, because it was industry rather than trade that first felt the effect of English competition. In September, 1822, one Hoyer, of Neustadt bei Stolpen, wrote to a number of representative merchants at Dresden and other places, urging their co-operation in the formation of a "West-Indische Elb Seehandlungs Compagnie".⁴⁷ A petition to the government asking support for the project was drawn up. The object, it was urged, was to further the sale of home products and manufacture. His Majesty was humbly asked to subscribe for the stock of the company just as he had already done in connection with the Rhine West Indies Company of

⁴⁵ Public Record Office, B. T. 122, In Letters, no. 7.

⁴⁶ As an example of the new industries which sprang up or underwent a particularly rapid development at this time, the manufacture of artificial flowers may be cited. The small profits and the miserably small wages drove many of the cotton weavers into the new field. Cf. Alfred Meiche, *Die Anfänge der Kunstblumen Industrie in Dresden, Leipzig, Berlin, und Sebnitz* (Dresden, 1908).

⁴⁷ Through the courtesy of Herr Heinrich Colberla, I was able to find one of these original letters of Hoyer's in the Familien Acten of the well-known Colberla family of Dresden. Along with the letter is a draft of the petition which it is proposed to submit to the government in behalf of the project.

Elberfeld. But the Commerz-Deputation advised against active participation in an enterprise the success of which was as yet so problematical. Nevertheless the project continued to develop. New and important interests took it up. In a petition to the government in June, 1824, the names of wealthy Leipzig and Dresden business firms appear. The government is appealed to anew to interest itself in an active way by the purchase of stock. The irksome restrictions on commerce, the industrial depression, and the disadvantage of allowing the "Hamburgers, Altoners", etc., to monopolize Saxon trade, are all cogently urged in favor of the new company. Attention is drawn to similar companies in the Netherlands and England, and to the Rhine West Indies Company of Elberfeld. The necessity of united effort and combination for this distant trade which involved too many risks for private capital is also emphasized.⁴⁸

The preliminary steps toward organization which had already progressed considerably were now undertaken with vigor, and with a decidedly new bent. The name of the proposed company, for example, was changed from that of "Elb-West Indische Handlungs Compagnie" to that of "Elb-Amerikanische Compagnie", and the seat of government was to be, not on the Elbe, but at Leipzig. According to the by-laws presented for the approval of the government, the company was to be a joint-stock concern with a capital stock of 500,000 thalers, divided into 100 shares of 500 thalers each. Its object was the promotion of oversea trade in Saxon manufactures and other products—"den überseeischen Betrieb vaterländischer Fabrikate und Producte zu befördern". The management of the company's affairs was entrusted to a board of five directors, who must themselves be merchants and shareholders, and reside at Leipzig. The proposed statutes, twenty-seven in all, were with one exception approved by the government in July, 1825; and a well-organized corporate body for trade between Saxony and America was therefore ready to begin its activities by mid-summer of that year.⁴⁹

The printed report of the first year's business, which is referred to in one of the documents, I was unable to find. There is, however, a statement by the government's official agent which gives the essential facts. He reports that in general the sale of the goods sent to America had been successfully accomplished but that the depression

⁴⁸ Kgl. Sächs. H. S. A., Loc. 2503. "Acta, die Elb-Amerikanische Compagnie betrf." Petition of June 16, 1824. The folios in this volume are not numbered and the references are therefore indicated by the date of the document.

⁴⁹ Two copies of the statutes and government documents in regard to their confirmation are found under date of July and August, 1825. *Ibid.*

in the commercial world was affecting the company adversely; that as a result only 564 of the 1000 shares of stock had been sold; that the directors were following a conservative policy; and that they besought the government to buy more stock, not only because of the financial assistance this would bring to the company, but also for the good effect this would have on its credit. Memorials from different groups of manufacturers setting forth the value of the company to Saxon industry accompany the petition. It was also suggested that with the development of the business of the company the government might see fit to enter into diplomatic negotiations with the United States with a view to obtaining a reduction of the duties on Saxon goods. Both proposals were recommended favorably and the government subscribed for five more shares of the stock.⁵⁰

But the times were against the success of the enterprise. The business depression, of which pitiful petitions from the industrial sections give ample evidence at this time, was great.⁵¹ In their report to the government in October, 1827, the directors again dwelt upon the hard times everywhere prevalent, and on the new and increasingly severe customs regulations on the Continent, particularly in Germany, which affected very unfavorably the prosperity of Saxon manufactures and their sale abroad. It was becoming well-nigh impossible for even the largest manufacturers to sell goods on their own account in America. On the other hand, dealing through the commission houses of the seaports was equally unsatisfactory, goods being often returned. Hence the great need of the Elb-American Company. It had accomplished a good deal during the three years of its existence, despite the fact that only 663 shares of the capital stock had been sold. The total of its business amounted to 794,000 thalers, accounted for mostly in Saxon wares—cottons, linens, wool, iron, and brass—sold in America.⁵²

⁵⁰ *Ibid.* "Communication an das Geheime Finanz Collegium", August 5, 1826.

⁵¹ On October 18, 1827, twenty-one of the manufacturers at Bautzen declare, "Die alljährlich sich mehrende und an Strenge zunehmende Zolleinrichtungen im Innern von Deutschland hemmen allenthalben den freien Verkehr." They go to the Leipzig fair but make little more than expenses. "Mit blutenden Herzen sind wir zu unsern Familien und Arbeitern zurückgekehrt. Sie verlangen Arbeit und Unterhalt und wir finden nicht mehr die Mittel diese zu gewähren", etc. Interesting too is the fact that, as in 1778, so now, the hope of relief through American markets finds expression. *Ibid.*, October, 1827.

⁵² These figures fall somewhat short of the detailed statement of the directors submitted to the government on February 27, 1828, in response to a demand by the Commerz-Deputation. According to this, the year 1826 had brought a loss to the company of 62,000 thalers, while 1827 showed a profit of from 15 per cent. to 20 per cent., some of which had been already realized. To the report is appended the usual petition for royal support. Would his majesty not subscribe for the 337 shares of stock still unsold? *Ibid.*, February 8, 1828.

The government was apparently greatly impressed with the claims made for the company. From an order to the finance committee it appears that another hundred shares of the stock was ordered to be purchased on its account. But before these were transferred, news of difficulty within the company reached the government. On investigation it was found that the treasurer had muddled the accounts, and that the affairs of the company were in bad shape.⁵³ At a general meeting on June 12, 1828, the company found itself obliged, in accordance with its own statutes, to go into liquidation. Some of the shareholders petitioned the directors to continue the business on their private account, while the Rhine West Indies Company offered to take over the business and open an office at Leipzig. But the insignificant further developments need not concern us here.

More important is the other outcome of Saxony's interest in America at this time. During the years of the activity of the Elb-American Company the movement for the establishment of Saxon consuls in the leading American ports was successfully carried out through the mediation of Alexander H. Everett, the American minister at Madrid. In February, 1825, the Saxon ambassador to Spain wrote that the Netherlands were appointing consuls "to all ports in America".⁵⁴ Saxony too should be represented, and he urged the government to consider the matter. This it did in the course of the next year, deciding to appoint consuls in three American cities. Mr. Everett was entrusted with the task of finding persons suitable for the positions.⁵⁵ On June 19, 1826, he wrote: "Agreeably to the request of M. de Könneritz, I wrote to Mr. Charles Augustus Davis, senior partner of the house of Davis and Brooks of New York, proposing to him to be considered as a candidate for the place of Saxon consul at that port." Mr. Davis accepted, and at the same time recommended Robert Ralston for the post in Philadelphia. Richard H. Douglas was named for the post in Baltimore.

Before the appointments could be made, August Mensch, a merchant who was closely in touch with Saxon commercial interests in America, and who had personally contributed greatly toward the appointment of an American consul, Mr. Göhering, at Leipzig, a short time before, was put forward as a candidate for the consulship at New York.⁵⁶ Mensch was warmly supported by the Saxon

⁵³ Cf. the report by Sohn of May 2, 1828, to the Secretary of State.

⁵⁴ Kgl. Sächs. H. S. A., Loc. 31719, "Acta, Die Anstellung und Beglaubigung des Königl. Konsuls in New York betr."

⁵⁵ *Ibid.* Letter of Mr. Everett from Madrid, June 19, 1826.

⁵⁶ *Ibid.* Entry of August 2, 1826.

merchants and received the appointment.⁵⁷ But the government had acted without due appreciation of the situation at Madrid, Mr. Everett having already obtained the consent of Mr. Davis to accept the post at New York.⁵⁸ To rid itself of a somewhat embarrassing situation the government decided to appoint a "Consul general of Saxony to the United States", and for this post Mr. Davis was duly nominated.⁵⁹ The instructions to the newly appointed consuls show how thoroughly the government of Saxony had been awakened to the possibilities of trade with America. The credentials were duly presented at Washington and made public through the usual channel by the Department of State. Mr. Davis's letter of acceptance and oath were sent to Count von Einsiedeln on September 20, 1827. This, together with the failure of the Elb-American Company in 1828, marks the conclusion of a movement which extended, as we have seen, over half a century.

WILLIAM E. LINGELBACH.

⁵⁷ Cf. "We, Frederick August, by the Grace of God, King of Saxony—hereby make known and declare, Since we have considered it advantageous for the promotion of the commerce and intercourse of our lands with that of the United States to erect consulships in New York, Philadelphia and Baltimore, we have appointed for that purpose the merchant, August Mensch, Robert Ralston, Richard Henry Douglas, Esq." *Ibid.* Patent by Graf von Einsiedeln.

⁵⁸ *Ibid.* Letter from Mr. Everett of February 20, 1827.

⁵⁹ *Ibid.* Patent of March 28, 1827. The position was later, in July, 1833, abolished.

THE TRENT AFFAIR¹

IN November, 1861, the country had been on tenter-hooks, so to speak, for twelve entire months, and during the last six of those months one mortification and failure had followed sharp on another. The community, in a state of the highest possible tension, was constantly hoping for a successful coup somewhere and by someone executed in its behalf. It longed for a man who would do, taking the responsibility of the doing. While it was in this state of mind, the telegraph one day announced that the United States sloop of war *San Jacinto*, under the command of Captain Wilkes, had arrived at Fortress Monroe, having on board the two Confederate envoys, Mason and Slidell, taken on the high seas from the British mail steamer *Trent*. At last the hour seemed come and with it a man. By one now seeking an explanation of what then occurred, all this must be borne in mind.

Thus worked up to the highest pitch of excitement, the feeling of the country had also been slowly fermenting to one of acute hostility towards Great Britain; and this for two reasons. In the first place, it had seemed as if, in view of its anti-slavery preaching during the last thirty years, and its somewhat Pharisaic, better-than-thou attitude towards America as respects the negro and his condition, Great Britain had failed to evince that sympathy towards us which was expected because of the slaveholders' rebellion, and had, to say the least, done nothing to forward the cause of the Union in a crisis brought on by the aggressive action of the South. On the contrary, the attitude of England in general had been sneering as well as adversely critical; and the tone of the London *Times*, in particular—for the *Times*, still known as "The Thunderer", was recognized as the first and most influential newspaper in the world—had been distinctly unsympathetic, not to say antagonistic, and otherwise acutely irritating. William H. Russell, the famous Crimean War correspondent, was also at that time in this country, and his letters regularly appearing in the *Times* as "from our Special Correspondent", were republished and read in America to an extent which can hardly now be understood. Anxiously waited for, and printed *in extenso* in all the leading journals, extracts from them

¹ In expanded form, with some seventy pages of supporting documents, this paper will appear in the next volume of the *Proceedings of the Massachusetts Historical Society*.

were to be found in every paper in the land. Russell had been to a certain extent present at Bull Run, and a witness of our disgrace. While his account of what he saw on that occasion was photographic and strictly correct, we none the less had become morbidly conscious that there was "a chiel amang [us] taking notes", and the "notes" he took when seen in "prent" caused a degree of irritation at this day difficult to describe or overstate. Thus morbidly excited and intensely sensitive, the country was in a thoroughly unreasoning and altogether unreasonable condition, very necessary now to emphasize; for it needed only the occurrence of some accident to lead to a pronounced explosion of what can only be described as Anglophobia. Discouraged, we had in fact only begun to settle down to the conviction that a long and uncertain struggle was before us. With all conditions, therefore, explosive, so to speak, in character, the incident of the *Trent* came like a bolt from a clouded and lowering sky; but it was a shell exploding in a powder magazine rather than a spark falling in a mass of combustible matter.

The course of events, briefly stated, was as follows: Immediately after the firing upon Fort Sumter, Jefferson Davis, president of the then newly organized Confederate States, had sent out to Europe agents to forward the interests of the proposed nationality. These agents had there spent some seven months, accomplishing little. Disappointed at their failure, Davis determined upon a second and more formal mission. The new representatives were designated as "Special Commissioners of the Confederate States of America, near the Government" whether of Great Britain or of France, as the case might be. James Murray Mason of Virginia and John Slidell of Louisiana were selected, the first named for London, the second for Paris. Both, it will be remembered, had recently been senators of the United States, Slidell having withdrawn from the Senate February 4, 1861, immediately after the passage of the Ordinance of Secession by the state of Louisiana; while Mason, having absented himself about March 20, during the session of the Senate for executive business, did not again take his seat. Virginia seceded April 17, and Mason, together with several other Southern senators, was in his absence expelled by formal vote (July 11) at the special session of the Thirty-Seventh Congress, which met under the call of President Lincoln, July 4, 1861. Probably no two men in the entire South were more thoroughly obnoxious to those of the Union side than Mason and Slidell. The first was, in many and by no means the best ways, a typical Virginian. Very provincial and intensely arrogant, his dislike of New England, and especially of

Massachusetts, was pronounced, and exceeded only by his contempt. Slidell, on the other hand, an intriguer by nature, unscrupulous in his political methods, was generally looked upon as the most dangerous person to the Union the Confederacy could select for diplomatic work in Europe. The first object of the envoys was to secure the recognition of the Confederacy. The ports of the Confederate States were then blockaded; but the blockade had not yet become really effective. The new envoys selected Charleston as their port of embarkation, and October 12 as its date. The night of the 12th was dark and rainy, but with little or no wind, conditions altogether favorable for their purpose. They left Charleston on the little Confederate steamer *Theodora*, evaded the blockading squadron, and reached New Providence, Nassau, two days later, the 14th. It had been the intention of the envoys to take passage for Europe at Nassau on an English steamer; but, failing to find one which did not stop at New York, the *Theodora* continued her voyage to Cardenas in Cuba, whence the envoys and those accompanying them proceeded overland to Havana. Arriving at Havana about the 22d of October, Messrs. Mason and Slidell remained there until the 7th of November. They then embarked on the British steamer *Trent*, the captain of the *Trent* having full knowledge of their diplomatic capacity as envoys of an insurgent community, and giving consent to their embarkation. The *Trent* was a British mail packet, making regular trips between Vera Cruz, in the Republic of Mexico, and the Danish island of St. Thomas. She was in no respect a blockade-runner; was not engaged in commerce with any American port; and was then on a regular voyage from a port in Mexico, by way of Havana, to her advertised destination, St. Thomas, all neutral ports. At St. Thomas direct connection could be made with a line of British steamers running to Southampton. The envoys, therefore, when they left Havana, were on a neutral mail steamer, sailing under the British flag, on a scheduled voyage between neutral points.

At just that time the United States war steamer, *San Jacinto*, a first-class screw sloop mounting fifteen guns, was returning from a cruise on the western coast of Africa, where for twenty months she had been part of the African squadron engaged in suppressing the slave-trade. She was commanded by Captain Wilkes, who had recently joined her. Returning by way of the Cape Verde Islands, Captain Wilkes there learned from the newspapers about the last of September of the course of public events in the United States, and rumors reached him of Confederate privateers, as they were then called, destroying American vessels in West India waters. He

determined to make an effort at the capture of some of these "privateers". On October 10 the *San Jacinto* reached the port of St. Thomas, and subsequently touched at Cienfuegos on the south coast of Cuba. There Captain Wilkes learned, also from the newspapers, that the Confederate envoys were at that very time at Havana, and about to take passage for Southampton. Reaching Havana on the 28th of October, the commander of the *San Jacinto* further learned that the commissioners were to embark on the steamer *Trent*, scheduled to leave Havana on the 7th of November. Captain Wilkes then conceived the design of intercepting the *Trent*, exercising the right of search, and making prisoners of the envoys. No question as to his right to stop, board, and search the *Trent* seems to have entered the mind of Captain Wilkes. He did, however, take into his confidence his executive officer, Lieutenant Fairfax, disclosing to him his project. Lieutenant Fairfax entered, it is said, a vigorous protest against the proposed action, and strongly urged on Captain Wilkes the necessity of proceeding with great caution unless he wished to provoke international difficulties, and not impossibly a war with Great Britain. He then suggested that his commanding officer consult an American judge at Key West, an authority on maritime law; which, however, Captain Wilkes declined to do. Leaving Key West on the morning of November 5, Captain Wilkes directed the course of the *San Jacinto* to what is known as the Bahama Channel, through which the *Trent* would necessarily pass on its way to St. Thomas, and there stationed himself. About noon on the 8th of November, the *Trent* hove in sight, and when she had approached sufficiently near the *San Jacinto*, a round shot was fired athwart her course; the United States flag was run up at the mast-head at the same time. The approaching vessel showed the English colors, but did not check her speed or indicate a disposition to heave to. Accordingly, a few instants later, a shell from the *San Jacinto* was exploded across her bows. This had the desired effect. The *Trent* immediately stopped, and a boat from the *San Jacinto* proceeded to board her. It is unnecessary to go into the details of what then occurred. For present purposes it is sufficient to say that the two envoys, together with their secretaries, were identified and forcibly removed, being taken on board the *San Jacinto*; which, without interfering with the mails or otherwise subjecting the *Trent* to search, then laid its course for Fortress Monroe. Arriving there on the 15th, news of the capture was immediately flashed over the country. The *Trent*, on the other hand, proceeded to St. Thomas, where her passengers were transferred to another steamer, and com-

pleted the voyage to Southampton. They arrived and the report of the transaction was made public in Great Britain November 27, twelve days after the arrival of the *San Jacinto* at Fortress Monroe, and the publication of the news of the arrest in the United States.

While a storm of enthusiastic approval was sweeping over the northern part of the United States in the twelve days between November 15 and November 27, a storm of indignation of quite equal intensity swept over Great Britain between November 27 and the close of the year.² Most fortunately there was no ocean cable in those days, and the movement of the Atlantic steamers was comparatively slow. Accordingly the first intimations of the commotion caused in Great Britain by the action of Captain Wilkes did not reach America until the arrival of the *Hansa* at New York, December 12. Strange as it now seems, therefore, almost an entire month had elapsed between the arrival of the *San Jacinto* at Fortress Monroe (November 15) and the receipt in America (December 12) of any information as to the effect of the seizure of the envoys on the British temper. A most important fact to be now borne in mind.

In reading the accounts of what occurred in America between November 15 and December 26, and seeing the recorded utterances of persons whose names carried authority, it is now most curious to observe the confusion of idea which seemed to exist as to the principles of international law involved, and the apparent utter inability of all concerned to exercise their reason to the extent of preserving consistency of thought or action. Seen through the perspective of fifty years, it may now with reasonable assurance be asserted that, in the controversy which ensued, the United States did not have, and never had, in reality, a justifying leg to stand upon, and least of all was there any possible justification for the course pursued by Captain Wilkes. In the first place, Wilkes, commanding a United States ship-of-war, had not been in communication with his government for months. He had received no instructions; he was not even officially advised of the existence of a blockade; and only

² Two exceptionally well-informed Americans, long resident in Great Britain, then wrote, the one from London to Mr. Seward, and the other from Edinburgh to his uncle, a citizen of New York: "There never was within memory such a burst of feeling as has been created by the news of the boarding of the [*Trent*]. The people are frantic with rage, and were the country polled, I fear that 999 men out of a thousand would declare for immediate war. Lord Palmerston cannot resist the impulse if he would"; the other, under the same date, November 29: "The excitement consequent upon the insult to the British flag by the U. S. Frigate, *San Jacinto*, has entirely monopolized the public mind. I have never seen so intense a feeling of indignation exhibited in my life. It pervades all classes, and may make itself heard above the wiser theories of the Cabinet officers." *Official Records of the War*, second series, II. 1107, 1131.

through the newspapers and current gossip did he know of the attitude his own government had assumed towards the so-called Confederacy. According to his own statement subsequently made, he did have some treatises on international law in the cabin of the *San Jacinto*, and he consulted them.³ From these he satisfied himself that accredited envoys were "contraband"; but he ignored the fact that the Confederacy had not been recognized by the United States government, or by any foreign government, and that the so-called "envoys" were merely "private gentlemen of distinction", citizens of certain states then in insurgency, trying to effect a transit to foreign countries. They were unquestionably embarked under a neutral flag, upon a mail steamer making its regular passage from one neutral port to another. Nevertheless, *pro hac vice*, Commodore Wilkes invested the envoys in question with an official character which his government distinctly refused to allow them, and then proceeded, on the assumption that ambassadors were "embodied despatches", to exercise on the high seas a right of search of a most questionable character; and, in so doing, he further constituted him-

³ "When I heard at Cienfuegos on the south side of Cuba of these commissioners having landed on the Island of Cuba and that they were at Havana and would depart in the English steamer on the 7th of November, I determined to intercept them and carefully examined all the authorities on international law to which I had access, viz., Kent, Wheaton and Vattel, besides various decisions of Sir William Scott and other judges of the admiralty court of Great Britain which bore upon the rights of neutrals and their responsibilities." Official report of Captain Wilkes to Secretary of the Navy. *Official Records*, second series, II, 1098.

The quite unintelligible and somewhat ludicrous state of what is termed Law, of the international variety, so far as the topic here in question is concerned, is presented in a concrete shape in Moore's *Digest*, VII, 768-779. The authorities are there cited and the discussions of the *Trent* precedent referred to. The difficulty seems to arise from the attempt seriously made to apply the principles laid down by Vattel, etc., and the precedents established by Lord Stowell to present conditions. The existence of modern lines of common-carrier transportation of passengers, merchandise, and mails under neutral flags between points not actually blockaded—lines like the Peninsular and Oriental, the Cunard and the White Star—seems not to have occurred to the publicists; while in fact the applying to the ships of such lines the rules under which Captain Wilkes thought he proceeded, and the application of which Mr. Seward afterwards gravely discussed, is hardly less opposed to reason and common-sense than would be the attitude and efforts of a tailor who endeavored to adjust the dress of a seven-year-old boy to the body and limbs of the same boy when grown to be a man of unprecedented size. In each case the attempt is, or would be, unfortunate, and lead inevitably to results unexpected if not impossible. This apparently is the one real lesson the world derived from the *Trent* affair. It seems to be questionable, however, whether either the statesmen at the time took in the fact or the publicists since have realized it, and the consequent utter futility of what they attempted. Let the investigator substitute *Lusitania* for *Trent*, and consider what would necessarily result.

self, in the person of his subordinate, a prize court, adjudicating on the deck of a neutral ship forcibly halted in its passage as to what personages should be seized, what persons and property should be exempted from seizure, as to how far the process of search should be carried, and generally what course under the conditions given should be pursued. Accordingly, while forcible possession was taken of the persons of the two envoys, no inquiry whatever was made as to their despatch bags, which, when the purpose of the procedure was suspected, had been handed over by the commissioners to the British mail agent, and been by him deposited in his mail-room. They were subsequently in due course delivered to the agents of the Confederacy in England.

Personally, I have a vivid recollection of the day when the news of the seizure was flashed to Boston, and hurriedly placarded on the newspaper bulletin-boards.⁴ A youthful legal practitioner, I was then a man of twenty-six. I had studied, or made an at least honest pretense of so doing, in the office of Richard H. Dana, jr. Mr. Dana was deemed as high an authority on maritime law as there was at the American bar. Reading the announcement on the bulletin-board, I hurried up to his office, and communicated the startling news. Well do I remember his reception of it. His face lighted up, and, clapping his hands with satisfaction over the tidings, he expressed his emphatic approval of the act, adding that he would risk his "professional reputation" on its legality. And this was the view universally expressed and generally accepted.

The *San Jacinto*, having put into Fortress Monroe on the 15th of November, was, for various reasons, ordered to proceed at once to New York, and thence to Boston, there to deliver its prisoners for safe-keeping. Captain Wilkes anchored his ship in Boston Harbor on the 24th of November, and two days later a banquet was given him and his officers at the Revere House, the Hon. J. Wiley Edmands presiding. Mr. Edmands, prominent among the solid business men of Boston of that period, lived at Newton and was treasurer of the Pacific Mills; a Webster Whig in politics, he had been a member of the Thirty-third Congress. The speakers on this occasion seemed to vie with each other in establishing a record from which thereafter it would be impossible to escape. For instance, John A. Andrew, then governor of Massachusetts, a man really great but of somewhat impulsive disposition, had been present in

⁴ Saturday, November 16. On the afternoon of that day the following despatch was sent from Washington: "The intelligence of the capture of Slidell and Mason has diffused the greatest possible joy among all the citizens, including the Government officials from the President down to the humblest messenger."

the office of the Secretary of the Navy when the news of the seizure came in. Literally swept off his feet, he had then sprung upon a chair and been prominent in the tumult of cheering which followed the announcement. He now at this banquet declared that the act of Captain Wilkes had shown "not only wise judgment, but [was marked by] manly and heroic success". He referred to it as "one of the most illustrious services that had made the war memorable"; and then most unnecessarily capped the climax of indiscretion by declaring to a delighted audience "that there might be nothing left [in the episode to] crown the exultation of the American heart, Commodore Wilkes fired his shot across the bows of the ship that bore the British Lion at its head". On the same occasion George T. Bigelow, then chief justice of Massachusetts, committed himself to an almost though not quite similar extent. First he voiced the very prevalent feeling already referred to, saying: "In common with all loyal men of the North, I have been sighing, for the last six months, for some one who would be willing to say to himself, 'I will take the responsibility'; and who would not only say this, but when the opportunity offered would take the responsibility." The chief justice of our supreme court then went on to declare that "Commodore Wilkes acted more from the noble instincts of his patriotic heart, than from any sentence he read from a law book"; adding that, under such circumstances, "a man does not want to ask counsel, or to consult judges upon his duty; his heart, his instinct, tells him what he ought to do". Well might the London *Times* in commenting on the affair observe shortly after, "These are wild words from lawyers." Captain Wilkes then, in language indicative of singular confusion of thought, said that before he had decided on his course, he had examined the authorities, and satisfied himself that these so-called envoys had none of the rights attaching to such functionaries when properly appointed; and, concluding that it was within his function to capture written despatches, assumed consequently that he had a right to take from under a neutral flag personages of distinction as the embodiment of despatches.⁵

At Washington the Secretary of the Navy next addressed a congratulatory letter to Captain Wilkes on the "great public service" he had rendered, giving to his proceeding the "emphatic approval of this department". He, however, took pains to insist that the forbearance of the commander of the *San Jacinto* in this instance in not seizing the *Trent* and sending it into port for adjudication

⁵ An account of the banquet will be found in the *Boston Evening Transcript*, November 27, 1861.

by a prize court "must by no means be permitted to constitute a precedent hereafter for the treatment of any case of similar infraction of neutral obligations". In his annual official report a few days later, Secretary Welles further stated that the "prompt and decisive action of Captain Wilkes on this occasion merited and received emphatic approval". On Monday, December 2, Congress assembled, and before the close of the first day's session Mr. Lovejoy, of Illinois, offered a joint resolution thanking Captain Wilkes, "for his brave, adroit and patriotic conduct in the arrest and detention of the traitors, James M. Mason and John Slidell". This resolution was passed by a unanimous vote; and, furthermore, the President was requested to present to Captain Wilkes "a gold medal with suitable emblems and devices, in testimony of the high sense entertained by Congress of his good conduct", etc.⁶ As to the irresponsible outpourings and journalistic utterances of those delirious three weeks, it is no exaggeration to say that, read to-day, they are more suggestive of the incoherences of the inmates of an insane asylum than of any well-considered expression of the organs of a sober and policed community—a community which only half a century before had gone to war in defense of the great principles of immunity from ocean search and seamen's rights.

But most noticeable and, perhaps, most suggestive of all the phases of that madness, were the utterances of the publicists, the supposed authorities on international law and those who should have shown themselves the calmly poised leaders of public opinion. Here are some of them: Theophilus Parsons was Dane professor of law at Harvard. Professor Parsons hurried into print with the following dictum: "I am just as certain that Wilkes had a legal right to take Mason and Slidell from the *Trent*, as I am that our Government has a legal right to blockade the port of Charleston." Caleb Cushing, in the administration of Franklin Pierce attorney-general of the United States, was a publicist, and a reputed legal authority. Mr. Cushing now wrote: "To conclude then: In my judgment, the act of Captain Wilkes was one which any and every self-respecting nation must and would have done by its own sovereign right and power, regardless of consequences. It was an act which it cannot be denied Great Britain would have done under the same circumstances. At the same time, it was an act amply justified by the principles and doctrines of international jurisprudence."

I have already referred to R. H. Dana, and his exclamation on

⁶ *Official Records*, second series, II. 1113.

first hearing of Captain Wilkes's performance. Mr. Dana now wrote in an unsigned communication to the *Boston Advertiser*:

In the present case, the mission [of the two envoys] is in its very nature necessarily and solely a mission hostile to the United States. It is treason within our municipal law, and an act in the highest degree hostile within the law of nations. If a neutral vessel intervenes to carry such persons on such a mission she commits an act hostile in the same degree. . . . We rather look to see Mr. Seward or Mr. Adams call the immediate attention of Her Majesty's Government to this violation of neutrality than to see Lord Lyons or Earl Russell addressing our Government on the subject.

Finally, Edward Everett, formerly the representative of the country at the Court of St. James and an ex-secretary of state, than whom no one stood higher in general estimation as an authority on topics of this character, thus publicly expressed himself:

You see that there is not the slightest ground for apprehension that there is any illegality in this detention of the mail packet; that the detention was perfectly lawful, the capture was perfectly lawful, their confinement in Fort Warren will be perfectly lawful, and as they will no doubt be kept there in safety until the restoration of peace—which we all so much desire—we may, I am sure, cordially wish them a safe and speedy deliverance.⁷

But the time at our disposal would not nearly admit of going through all the kaleidoscopic phases of this singular but most inter-

⁷ There has been a diversity of statement as respects Lewis Cass and his attitude and utterances in this connection. By some it has been asserted that he also was positive that the action of Captain Wilkes was justifiable, both on principle and by precedent. Such, however, was in no degree the case. On the contrary, the only recorded expression of opinion by Mr. Cass is refreshing from its correctness; its practical view of the matter also strongly coincided with what Lord Palmerston, as it will be seen, had said to Mr. Adams shortly before. The conclusions of General Cass are found in a letter addressed to Secretary Seward from Detroit, on the 19th of December, 1861. In his retirement from active political life, General Cass then wrote: "Though I think it was justifiable upon the grounds laid down and acted upon by England, yet I considered it a most useless and unfortunate affair—an affair which from its evident importance should never have been undertaken by Captain Wilkes without express orders from his Government, and his interference is the more inexcusable as he states in his report that in his search into the authorities upon the law of nations he could find no such case decided and was brought to consider the rebel commissioners as the 'embodiment of despatches'—I think is his phrase—in order to justify the arrest: a strange reason to be officially given for such a procedure. And what has amazed me more than anything else in this whole affair are the laudations bestowed upon Captain Wilkes for his courage in taking three or four unarmed men out of an unarmed vessel." *Official Records*, second series, II. 1132. This position was all the more significant as Cass, when secretary of state, had clearly and fully laid down the American principles of neutral rights in a despatch, June 27, 1859, addressed to John Y. Mason, then minister to France.

esting and instructive international episode. The point of view now changes. We must imagine ourselves in London, and Englishmen.

On Tuesday, November 12, four days after the actual seizure of Messrs. Mason and Slidell, but fifteen days before an intimation of it reached England, Mr. Adams, then representing the country at the Court of St. James, made this diary entry, "Received a familiar note from Lord Palmerston, asking me to call and see him between one and two o'clock." The note, of the briefest possible character, read as follows:

94 PICCADILLY, 12 Nov., 1861.

MY DEAR SIR:

I should be very glad to have a few minutes conversation with you; could you without inconvenience call upon me here today at any time between one and two.

Yrs faithfully

PALMERSTON.

The Honbl. Mr. Adams.

Though Mr. Adams had at this time been nearly six months in London, his official relations had been exclusively with Earl Russell; and, though he had met Lord Palmerston several times, and more than once been a guest at Cambridge House, their intercourse had been social only. A few days before, Mr. Adams had been present at the Lord Mayor's dinner, and had been one of the speakers on that occasion. In his diary entry is the following: "The only marking speech being one from Lord Palmerston which had his customary shrewdness. He touched gently on our difficulties and at the same time gave it clearly to be understood that there is to be no interference for the sake of cotton." Shortly after, but before the news of the *Trent* affair arrived, Mr. Adams made the following further diary entry:

In the evening Mrs. Adams and I went by invitation to Lady Palmerston's. A few persons only, after one of her dinners. We had been invited to dine ourselves, last Saturday, and are again invited for next Saturday evening. This civility is so significant that it must by no means be declined. . . . I touched Lord Palmerston a little on the event of the day [the burning of the *Harvey Birch* by the Confederate cruiser *Nashville*], and reminded him of the connection which the *Nashville* had with our former conversation. He seemed good-natured and rather desirous to get information as to grounds on which to act.

The relations between the two men had accordingly thus far been of an altogether friendly character. The diary entry of November 12 goes on as follows:

This [Lord Palmerston's note] took me by surprise, and I speculated on the cause for some time without any satisfaction. At one o'clock I

drove from my house over to his, Cambridge House in Piccadilly. In a few minutes he saw me. His reception was very cordial and frank. He said he had been made anxious by a notice that a United States armed vessel¹ had lately put in to Southampton to get coal and supplies. It had been intimated to him that that object was to intercept the two men, Messrs. Mason and Slidell, who were understood to be aboard the British West India steamer expected to arrive tomorrow or next day. He had been informed that the Captain, having got gloriously drunk on brandy on Sunday, had dropped down to the mouth of the river yesterday as if on the watch. He did not pretend to judge absolutely of the question whether we had a right to stop a foreign vessel for such a purpose as was indicated. Even admitting that we might claim it, it was yet very doubtful whether the exercise of it in this way could lead to any good. The effect of it here would be unfavorable, as it would seem as if the vessel had come in here to be filled with coal and supplies, and the Captain had enjoyed the hospitality of the country in filling his stomach with brandy, only to rush out of the harbor and commit violence upon their flag. Neither did the object to be gained seem commensurate with the risk. For it was surely of no consequence whether one or two more men were added to the two or three who had already been so long here. They would scarcely make a difference in the action of the government after once having made up its mind.

The extreme significance of the intimation thus unofficially and pleasantly conveyed was not apparent at the time; indeed it was not fully disclosed until half a century later. Mr. Adams never knew the motive cause of the interview he was describing, and consequently never appreciated the really kind purpose behind this most friendly action of the man at the head of the government to which he was accredited. It was an effort to forestall and prevent an international complication even more objectless than it was dangerous, a senseless wrangle over two men who were of no consequence anyway.

To appreciate the true significance of the interview described in his diary by Mr. Adams it is necessary to bear in mind that it took place on the 12th of November, the Confederate envoys having been taken on the 8th from the *Trent*. On the day preceding his talk with Mr. Adams, Lord Palmerston, it now appears, had addressed the following letter to J. T. Delane, the editor of the *Times*:

94, PICCADILLY, November 11, 1861.

MY DEAR DELANE:

It may be useful to you to know that the Chancellor, Dr. Lushington, the three Law Officers, Sir G. Grey, the Duke of Somerset, and myself, met at the Treasury today to consider what we could properly do about

¹ The *James Adger*, commanded by Captain J. B. Marchant. In regard to this incident, see *Charles Francis Adams* (American Statesmen series), pp. 222-224; *Records of Union and Confederate Navies*, I. 128, 224; *Adams, Studies: Military and Diplomatic*, p. 394.

the American cruiser come, no doubt, to search the West Indian packet supposed to be bringing hither the two Southern envoys; and, much to my regret, it appeared that, according to the principles of international law laid down in our courts by Lord Stowell, and practised and enforced by us, a belligerent has a right to stop and search any neutral not being a ship of war, and being found on the high seas and being suspected of carrying enemy's despatches; and that consequently this American cruiser might, by our own principles of international law, stop the West Indian packet, search her, and if the Southern men and their despatches and credentials were found on board, either take them out, or seize the packet and carry her back to New York for trial. Such being the opinion of our men learned in the law, we have determined to do no more than to order the *Phaeton* frigate to drop down to Yarmouth Roads and watch the proceedings of the American within our three-mile limit of territorial jurisdiction, and to prevent her from exercising within that limit those rights which we cannot dispute as belonging to her beyond that limit.

In the meanwhile the American captain, having got very drunk this morning at Southampton with some excellent brandy, and finding it blow heavily at sea, has come to an anchor for the night within Calshot Castle, at the entrance of the Southampton river.

I mention these things for your private information.

Yours sincerely,

PALMERSTON.

And, the following day, immediately after his talk with Mr. Adams, he further wrote:

MY DEAR DELANE:

I have seen Adams today, and he assures me that the American paddle-wheel was sent to intercept the *Nashville* if found in these seas, but not to meddle with any ship under a foreign flag. He said he had seen the commander, and had advised him to go straight home; and he believed the steamer to be now on her way back to the United States. This is a very satisfactory explanation.

Yours sincerely,

PALMERSTON.

While the opinion of the officers of the crown referred to was no mystery at the time, and is mentioned, though in much more general language, by Spencer Walpole in his *Life of Lord Russell*,⁹ yet the statement here made of that opinion by Lord Palmerston is well calculated to excite surprise. It will be noticed that the officers referred to—the Lord Chancellor, Westbury, and Dr. Lushington being among them—are said to have laid it down as law that the belligerent had a right to stop and search any neutral, not being a ship-of-war, on the high seas, suspected of carrying enemy's despatches. Consequently, then, in this case, the Southern insurgents having been granted belligerent rights, the *San Jacinto* might, on

⁹ II. 354-356.

English principles of international law, stop the *Trent*, search her, and if the Southern men were on board, either do exactly what Captain Wilkes had already just done—take them out, and then allow the packet to proceed on its voyage—or seize the packet and carry her to some American port for trial and adjudication as prize.

Here is indeed another turn of the *Trent* kaleidoscope—a British turn! That just half a century ago such an opinion as this should have been advanced as accepted international law seems incredible. It indicates clearly how confused, as well as archaic, the principles of that law were at the time in question in the minds of those supposed to be learned in it. No war involving maritime rights to any considerable extent had occurred since Waterloo. The precedents established in the English prize courts in the days of Napoleon's Continental System and the British Orders in Council, and the principles then laid down, utterly regardless as they notoriously had been of the rights of neutrals, were still held to be law. Those precedents and rulings were of the most miscellaneous description and arbitrary character. Meanwhile, the world had progressed. It is, therefore, simply astounding to us in 1912 that the law-officers of the crown should in 1861 have advised Her Majesty's government that an American ship-of-war might lie in the straits of Dover, and, having reason to suppose that an emissary of the Confederacy, carrying despatches, was on a certain steamer—the Calais packet, for instance—could stop the steamer in question, subject it to search, and either take out the envoy referred to, and his despatches, leaving the steamer then to complete its course, or could pronounce her a prize of war for violation of neutrality, and send her into port for adjudication! The thing is too absurd for a moment's consideration. Yet then it seems to have been laid down as the accepted law of Great Britain; and according to Lord Chancellor Westbury and Dr. Lushington, Mr. George Sumner, the brother of the senator of the same name, was not wrong when at this time (November 22) he wrote to the *New York Tribune* that, "The act of Commodore Wilkes was in strict accordance with the principles of international law recognized in England, and in strict conformity with English practice." One American at least seems here to have then spoken correctly and by the book. He said "English principles" and "English practice"! If it was law and practice in Great Britain then, it was law and practice nowhere else; least of all in the United States.

But was the position thus taken sound as a proposition of even British law? This is open to grave question: nor did it pass unchallenged at the time. The point was well put by the Duke of

Argyll, himself a member of the British ministry, in a letter to Mr. Adams written on the 25th of the following January. Referring to the objection subsequently made to the act of Captain Wilkes that the *Trent* was not taken into port for adjudication, he characterized it as one made on "a narrow and technical ground". He then proceeded as follows:

This is a very minor objection, tho' so far as it goes, a sound one. But the real objection I hold to be a much stronger one, *viz.*, that a neutral vessel, with a bona fide, *neutral destination*, cannot contain contraband of war at all, and that civilians, especially, bound for a neutral country cannot, under any circumstances, be held to be subject to seizure as Contraband. I venture to affirm that no decision of any of our Judges, nor any act of our Government can be cited as inconsistent with this doctrine.

This, even if advanced by a layman, was certainly good sense, and probably sound law. Admitting, however, that as a mere proposition of existing law, wise or not wise as a question of policy, the British precedents and practice were as laid down by the law-advisers of the crown, if such a contingency as that of the *Trent* arose, there was but one course to be pursued by any self-respecting nation. If such was once the law, the world had outgrown it; it was law no longer. In any event, it could not possibly be observed as such by any nation powerful enough to set it at naught. The case did not admit of argument.

The course, therefore, to be pursued by the British government under the circumstances which then confronted it, was simple, and exactly the course that was pursued. The matter was referred back to the law-officers of the crown, with instructions to reconsider the subject. The subject was reconsidered, and different conclusions arrived at. Nevertheless, those conclusions commend themselves little more to present judgment than the previous opinion. It was now held that the attitude of the American government was untenable because in assuming authority under the accepted law of nations, as laid down in the reports and treatises, Captain Wilkes had undertaken to pass upon the issue of a violation of neutrality on the spot, instead of sending the *Trent* as a prize into port for judicial adjudication. There is about the position thus assumed in 1861 something which seems in 1912 little short of the grotesque. Nevertheless, so the case stood at that time; and, as mere technical law, the point probably was, as the Duke of Argyll said in his letter to Mr. Adams, well taken. At any rate it met in a way the requirements of that particular occasion, and was gravely advanced and argued

over *pro* and *con* by able and adroit men holding high official positions. It was, however, recognized all through as a solemn farce. As a question of practical statesmanship, the world manifestly had burst asunder those particular swaddling clothes. It is contentions of this character which bring law into contempt.

Meanwhile, upon the American side of the water, among those occupying positions of prominence and political responsibility at the time, two men, only, preserved their poise throughout the Mason and Slidell episode, and, taking in all the aspects of the situation, both acted with discretion and counselled wisely. These two were Montgomery Blair, the postmaster-general in Lincoln's Cabinet, and, somewhat strange to say, Charles Sumner. They alone, using the vernacular, did not "slop over", prematurely and inconsiderately committing either themselves or the country, whether in private speech or public utterance. Though not quoted at the time, Mr. Blair's attitude was the more pronounced. According to Secretary Welles, he "from the first denounced Wilkes's act as unauthorized, irregular and illegal"; and even went so far as to advise that Wilkes be ordered to take the *San Jacinto* and go with Mason and Slidell to England, and deliver them to the British government.¹⁰ In view of the excitement and unreasoning condition of the public mind such a disposition of the question was, perhaps, practically impossible; though even this admits of question. Nevertheless, seen through the vista of half a century, this would clearly have been the wisest as well as the most dignified course to pursue, far more so than that ultimately adopted.

As I have said, the attitude and bearing of Mr. Sumner throughout those trying days was above criticism. With a proper sense of the responsibility due to his official position, that of chairman of the Senate Committee on Foreign Relations, he was silent, biding his time; and, when that time came, he used his influence in such a way as to produce results not wholly unworthy of a great nation passing through a trying ordeal.

But there is another aspect of the *Trent* affair and its outcome, which, from the historical point of view, is, I believe, novel; and that, in closing, I propose to bring to view, emphasizing it as forcibly as I can. But in order to appreciate this aspect of the affair it is necessary clearly to bear in mind the sequence of events, the intervals of time which elapsed, and the exact date of each occurrence. The arrest of the *Trent* and the seizure of the two envoys took place in

¹⁰ This course was, it is said, also at the moment advocated by General McClellan, then organizing the Army of the Potomac, and practically commander-in-chief in succession to General Scott. Russell, *My Diary*, II. 405.

the Bahama Channel, November 8; the interview between Lord Palmerston and Mr. Adams at Cambridge House, at which Lord Palmerston suggested that the presence of the two envoys in Europe was "of no consequence" and "would scarcely make a difference in the action of the government" was on the 12th, and the despatch of Mr. Adams conveying this most significant intimation to Secretary Seward was received by the latter before November 30. This was fourteen days after the news of the seizure had been made known in the United States (November 16) and the public excitement had already begun to subside. Tidings of the affair had reached England only three days before, on the 27th, and the despatch of Lord John Russell to Lord Lyons demanding the immediate surrender of the two envoys, dated November 30, reached Washington, December 18, or a little over a full month after the news of the seizure of the envoys had made wild the American public.

At the time great emphasis was laid on the general preparations for war entered upon by the British government in case of a refusal to yield to the ultimatum presented. It was here pronounced unnecessary, irregular, minatory, and insulting; and subsequent American historical investigators and publicists have continued to so pronounce it. There is no question that Great Britain was in dead earnest in its demand for immediate reparation, and acted accordingly. The arsenals were busy; all available forces were mobilized; troops embarked for Canada.

It was on the part of Great Britain a case of uncalled for, unnecessarily offensive braggadocio and bullying; and it was resented as such. Yet something was to be said on the other side. The critics were not careful as to their facts, the sequence of events, and the natural operation of cause and effect. Again it is necessary to bear dates clearly in mind. Commenting on this phase of the "affair", R. H. Dana, for instance, with singular carelessness says in his elaborate note in his edition of Wheaton, "The news of the capture of Messrs. Mason and Slidell reached Washington about the same time it reached London."¹¹ This is erroneous, and the error vitiates Mr. Dana's whole criticism on the minatory course pursued by Great Britain. The news of the seizure, not "capture", reached Washington, November 16; the same news did not reach London until the 27th, or eleven days later. Those eleven days of difference were pregnant with consequences; for during them the United States went crazy, and it was then that the news not of Wilkes's act but of the storm of American approval of Wilkes's act

¹¹ Dana's Wheaton, p. 654.

reached London "about the same time". The announcement a few days later of the governor of Massachusetts at the Wilkes dinner in Boston (November 26) that "a shot fired across the bows of the ship that bore the English lion's head" had filled to the brim the cup of America's satisfaction over the event, followed hard by the "emphatic approval" of the act by the Secretary of the Navy and its unanimous endorsement by Congress—these surely were not utterances or incidents calculated either to allay British excitement or to lead to a countermand of warlike preparation. Even on the very eve of the surrender, it was publicly alleged and on excellent authority that the President had emphatically announced: "I would sooner die than give them up." This probably was not true; it was, however, believed both in Washington and in London. In London also it was suspected, especially in inner ministerial circles—and on good grounds it has since appeared—that Mr. Seward had, only a few months previously, desired to provoke trouble with Great Britain with ulterior purposes in view. The opportunity for so doing had now presented itself; nor was there any reason to suppose that the views of the Secretary had recently undergone change. Under such circumstances, however, it was perhaps in no way so remarkable, nor did it afford just ground for animadversion, that the din of preparation for war in the one country was concurrent with the din of approval of Captain Wilkes's act in the other.

Meanwhile the news of the excitement occasioned throughout Great Britain by Wilkes's act had reached America on the 12th, six days previous. The four dates most necessary to bear in mind are, therefore, the 16th of November, when the news of the seizure reached America; the 27th of the same month, when the same news reached Europe; the 12th of December, when the extreme seriousness of the situation dawned on the American mind through tidings of the British excitement and consequent demands; and, finally, the 18th of December, when it became apparent that a decision as to the course to be by it pursued had to be reached within one week by the American government. Thus, between the date of the arrival of the *San Jacinto* at Hampton Roads (November 16), and the announcement from Washington that the envoys would be surrendered (December 26), forty days elapsed. This was a most important factor; for, as the result showed, during that period the popular effervescence had time in which to subside, while by the forty-first day the sober second thought might to a degree be invoked with some assurance of a response. An Anglo-Saxon community rarely goes daft permanently.

It was so in this case; and though, both in public and private, some, like Hale of New Hampshire and Lovejoy of Illinois in Congress, and two of the sons of Mr. Adams in private correspondence, foamed at the mouth, swearing inextinguishable hatred of Great Britain and asseverating an unalterable determination to bide their time for revenge on that arrogant and overbearing nationality, so far as the great body of public opinion was concerned the insanity passed away almost as suddenly as it had asserted itself. Reason resumed its sway.

Such being the facts of the "affair" and the dates of the occurrences in its development, it is of interest now, and certainly not without its value as matter of experience, to consider the courses then possible to have been pursued by the United States and to contrast them, coolly and reflectively, with that which was actually pursued. And in so doing the thought which first suggests itself is one not conducive in us to an increased sense of national pride. What an opportunity was then lost! How completely our public men, and through them our community, failed to rise to the height of the occasion! For, viewed in the perspective of history, it is curious, and for an American of that period almost exasperating, to reflect upon what a magnificent move in the critical game then conducted would have been made had the advice of Montgomery Blair been followed to the letter and in spirit. To carry out the simile, by such a playing of the pieces on the board as he suggested, how effectually a checkmate would have been administered to the game of both the Confederates and their European sympathizers! In the first place, the act of Wilkes, as was subsequently and on better reflection universally conceded, was ill-considered, improper, and in violation of all correct naval usage. It should have been rebuked accordingly; and officers should have been taught by example and at the commencement that they were neither diplomatic representatives nor judicial tribunals administering admiralty law. It was for them to receive instructions and implicitly to obey them. A reprimand of much the same nature was at almost this very time administered to General John C. Frémont, when in Missouri he undertook by virtue of martial law to proclaim the freedom of the slave throughout the military department under his command. His ill-considered order was revoked; and he was officially instructed that he was to confine himself to his military functions, and that the administration reserved to itself all action of a political character. So much for Captain Wilkes, and the reprimand he should have received because of his indiscreet and unauthorized proceeding.

Next, such a line of conduct would have been, on the part of the government, in severe and manly adherence to the past contentions of the United States. It would have recognized in the action taken by Wilkes an attempt to carry the right of search and power of impressment far beyond any precedent ever established by the British government, even in the days of its greatest maritime ascendancy, and consequent arrogance. In the strong and contemptuous language of Mr. Adams, America, in sustaining Wilkes, was consenting "to take up and to wear [Britain's] cast-off rags". If, instead of so bedizening itself, the United States had boldly, defiantly, and at once, now adhered to its former contentions, its attitude would have been simply magnificent; and, as such, it would have commanded respect and admiration.

Taken immediately and openly in the presence of the whole world, the position advised by Blair would have indicated the supreme confidence we felt in our national power, and the pronounced contempt in which we held both those whom we called "rebels" and those whom they termed their "envoys". If reached and publicly announced after mature deliberation during the week which followed the announcement of the seizure from Fortress Monroe (November 23), as transatlantic communication was conducted in those days the news would scarcely have reached England before the 3d of December, just three days after the peremptory and somewhat offensive despatch of Russell demanding the immediate surrender of the arrested envoys was beyond recall or modification, well on its way to America. A situation would have resulted almost ludicrous so far as Great Britain was concerned, but, for the United States, most consistent, dignified, and imposing. Excited, angry, arrogant, bent on reparation or war, Great Britain would have been let down suddenly, and very hard and flat. Its posture would, to say the least, have been the reverse of impressive. But for us it would have established our prestige in the eyes of foreign nations, and once for all silenced the numerous emissaries who were sedulously working in every part of Europe to bring about our undoing through foreign interference. In particular, the immediate delivery of the envoys, in advance of any demand therefor and on the very ship which had undertaken to exercise the right of search and seizure under the command of the officer who had thus exceeded his authority and functions, would, so to speak, have put the government of Great Britain thenceforth under bonds, so far as the United States was concerned. Thereafter any effort, either of the "envoys" thus contemptuously surrendered or of other Confederate emissaries,

would, so far as this country was concerned, have been futile. Reciprocity would from that moment have been in order, and all question of foreign recognition would have ceased. The whole course of international events in the immediate future would probably have been far different from what it was; for with what measure we had used, it would necessarily have been measured to us again.

Such a line of conduct immediately decided on and boldly declared would have been an inspiration worthy of a Cavour or a Bismarck; but, though actually urged in the Cabinet meetings by Montgomery Blair, its adoption called for a grasp of the situation and a quickness of decision which, very possibly, could not reasonably be expected under conditions then existing. It also may even yet be urged that, if then taken and announced, such a policy would have failed to command the assent of an excited public opinion. That it would have failed to do so is, however, open to question; for it is more than possible, it is even probable, that American intelligence would even then have risen at once to the international possibilities presented, and in that crisis of stress and anxiety would have measured the extent to which the "affair" could be improved to the public advantage. The national vanity would unquestionably have been flattered by an adherence so consistent and sacrificing to the contentions and policies of the past. The memories of 1812 would have revived. However, admitting that a policy of this character, now obviously that which should have been pursued, was, under practical and popular conditions then prevailing, at least inadvisable, it remains to consider yet another alternative.

Assuming that the course pursued remained unchanged an entire month after the seizure, and up to the 12th of December, when the news arrived in America of the excitement occasioned by the seizure in Great Britain and the extreme seriousness of the situation resulting therefrom—assuming this, it is now obvious that the proper policy then and under such conditions to have been adopted, although it could not have produced the results which would have been produced by the policy just considered if adopted and announced ten days earlier, would still have been consistent and dignified, and, as such, would have commanded general respect. It was very clearly outlined by Mr. Adams in a letter written to Cassius M. Clay, then the representative of the country at St. Petersburg, in the following month. He expressed himself as follows:

Whatever opinion I may have of the consistency of Great Britain, or of the temper in which she has prosecuted her latest convictions, that

does not in my judgment weigh a feather in the balance against the settled policy of the United States which has uniformly condemned every and any act like that of Captain Wilkes when authorized by other nations. The extension of the rights of neutrals on the ocean and the protection of them against the arbitrary exercise of mere power have been cardinal principles in the system of American statesmen ever since the foundation of the Government. It is not for us to abandon them under the transient impulse given by the capture of a couple of unworthy traitors. What are they that a country like ours should swerve one hair from the line of its ancient policy, merely for the satisfaction of punishing them?

If the advisers of Mr. Lincoln had viewed the situation in this light, when his Secretary of State sat down to prepare his answer to the English demand, he would at once with a bold sweep of the hand have dismissed as rubbish the English precedents and authorities, reverting to the attitude and contentions uniformly and consistently held by the government for which he spoke, during the earlier years of the century. The proceeding of Captain Wilkes would then have been pronounced inconsistent with the traditions and established policy of the United States, and the line of action by it to be pursued in the case immediately presented would have been dictated thereby. The course to be pursued on the issue raised was clear, and the surrender of the envoys must be ordered accordingly; and this in no degree because of their small importance, as suggested by Lord Palmerston in his talk with Mr. Adams—though unquestionably the fact would have secretly exercised no little influence on the mind of the Secretary—and still less was it ordered because of any failure of Captain Wilkes to seize the *Trent* as prize on the ground of alleged breach of neutrality; but exclusively for the reason that the seizure in question was unauthorized, in direct disregard of the established policy of the United States and its contentions in regard to the rights of neutrals, clearly and repeatedly set forth in many previous controversies with the government represented by Lord John Russell. From that policy, to quote the language of Mr. Adams, "this country was not disposed to swerve by a single hair's breadth". In accordance with it, delivery of the so-called "envoys" was ordered.

Again, an opportunity was lost! Such an attitude would have been dignified, consistent, and statesmanlike. It would have had in it no element of adroitness and no appearance of special pleading. It could hardly have failed immediately to commend itself to the good judgment as well as pride of the American people, and it would certainly have commanded the respect of foreign nations.

Of the elaborate, and in many respects memorable, note

addressed by Secretary Seward to Lord Lyons, in answer to the categorical demand for the immediate release of the two envoys, it is not necessary here to speak in detail. It is historical, and my paper has already extended far beyond the limits originally proposed. Of this state paper I will therefore merely say that, reading it now, "clever", not "great", is the term which suggests itself as best descriptive. Much commended at the time, it has not stood the test. In composing it, the writer plainly had his eye on the audience; while his ear, so to speak, was in manifest proximity with the ground. Indeed, his vision was directed to so many different quarters, and his ear was intent on such a confusion of rumblings that it is fair matter for surprise that he acquitted himself even as successfully as he did. In the first place, it was necessary for him to persuade a President, who had "put his foot down", and whose wishes inclined to a quite different disposition of the matter. In the next place, the reluctant members of a divided Cabinet were to be conciliated and unified. After this, Captain Wilkes, the naval idol of the day, must be justified and supported. Then Congress, with its recent commitments as respects approval, thanks, gold medals, etc., had to be not only pacified, but reconciled to the inevitable; and, finally, an aroused and patriotic public opinion was to be soothed and gently led into a lamb-like acquiescence. The situation in the aspect it then bore was, it cannot be denied, both complicated and delicate. Accordingly, one is conscious, in reading the Secretary's communication to Lord Lyons of December 26, 1861, of a distinct absence therein of both grasp and elevation; and it can hardly be denied that there was truth in the criticisms passed upon it by Hamilton Fish, in a letter to Charles Sumner, written at the time.

In style [the letter] is verbose and egotistical; in argument, flimsy; and in its conception and general scope it is an abandonment of the high position we have occupied as a nation upon a great principle. We are humbled and disgraced, not by the act of the surrender of four of our own citizens, but by the manner in which it has been done, and the absence of a sound principle upon which to rest and justify it. . . . We might and should have turned the affair vastly to our credit and advantage; it has been made the means of our humiliation.

The ultimate historical verdict must apparently be in accordance with the criticism here contemporaneously expressed. The Seward letter was inadequate to the occasion. A possible move of unsurpassed brilliancy on the international chessboard had, almost unseen, been permitted to escape us.

CHARLES FRANCIS ADAMS.

DOCUMENTS

Debates on the Declaratory Act and the Repeal of the Stamp Act, 1766

THE following reports of debates are printed partly because of their intrinsic importance and interest, and partly as a means of drawing attention to an endeavor in which the Department of Historical Research in the Carnegie Institution of Washington is at present actively engaged. As has been made known to some readers by the annual reports of that department, it has for some time been making preliminary preparations toward a compilation to be entitled *American Proceedings and Debates in Parliament*. This will include, on the one hand, the items relating to North American affairs prior to 1783 contained in the *Journals* of the Lords and Commons of Great Britain, the Scottish Parliament, and the Lords and Commons of Ireland; and on the other hand, the best texts of the various debates on American subjects which can be obtained by careful editing of all existing original materials, printed or manuscript. Besides such manuscripts in the Public Record Office and the British Museum as, by the kindness of Professor Charles H. Hull of Cornell University and Mr. Harold W. V. Temperley, of Peterhouse, Cambridge, are presented in the following pages, the managing editor of this journal is warmly desirous to learn of all manuscript debates in less conspicuous public repositories or in private hands, which contain any matter bearing upon the history of America before 1783. Information regarding such manuscripts will be cordially welcomed.

Apart from materials preserved in England, it may be useful to mention the probability that others, not known to the editor, may be existent in America. Thus, it has lately been discovered by him that a manuscript volume in the library of the Massachusetts Historical Society, which had hitherto escaped careful examination, contains a most valuable record of proceedings and debates of the House of Commons in 1628-1629, while another contains a similar report for 1673-1674 and for 1678-1679, which can be proved to have been written by Sir Edward Dering, member successively for East Retford and Hythe. This record contains notes of proceedings during a dozen days which are omitted from the printed journal. In the Library of Congress, again, there is, in the Division of Manuscripts, a set of 45 volumes of Irish parliamentary debates in short-

hand with 37 volumes of transcripts, constituting apparently much the most important record of debates in the Irish House of Commons from 1776 to 1789, aside from those in the printed *Parliamentary Register*.¹ Also, there are of course many transcripts made by George Bancroft from manuscript reports in England, preserved in the New York Public Library.

Of the reports herewith presented both relate to the same episode in American history, but the first is a record of a debate in the Commons on the Declaratory Act, while the second records a debate in the Lords on the repeal of the Stamp Act. The first, obtained by Professor Hull from the Public Record Office, Treasury Papers, year 1766, bundle 372, is in the handwriting of Grey Cooper, who in the preceding July had become a secretary of the Treasury and in January, 1766, had, as a new member, taken his seat for the city of Rochester. The provenance and character of the second are sufficiently indicated in Mr. Temperley's introduction. It should perhaps be stated that, as the text has come to us in a form marked by extreme abbreviation, the editor of this journal has thought fit, almost as if he were dealing with shorthand, to make the record easily intelligible by expanding abbreviations. Grey Cooper's manuscript requires no such treatment.

By way of explanation of both pieces, it may be useful to remind the reader that Parliament reassembled January 14 and that on that day Secretary Conway presented to the House various letters, petitions, and other papers relating to the disturbances in America caused by the passage of the Stamp Act.² These papers, with others of a similar character presented on the 22d, the 27th, and the 28th of January, were referred to the Committee of the Whole House and on January 28 were taken up by that committee, which sat from eight to ten hours on almost every day from that time until February 21, when the seven resolutions which constituted its report were completed.³ On February 3 began the debate in committee on the first of these resolutions, introduced by Conway.⁴ This debate,

¹ See the note on these volumes by Professor Marcus W. Jernegan in the *English Historical Review*, XXIV, 104-106.

² *Journal of the House of Commons*, XXX, 447-451.

³ *Ibid.*, p. 602.

⁴ "That the King's Majesty, by and with the consent of the Lords spiritual and temporal, and Commons of Great Britain, in parliament assembled, had, hath, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the colonies and people of America, subjects of the crown of Great Britain, in all cases whatsoever." The first three resolutions are copied by Grey Cooper, in substance, at the beginning of his report, but are omitted below.

which is the one here presented, continued until nearly four in the morning, when the resolution passed with but few opposing voices. This resolution, when taken up by the House itself, February 24, was also the subject of some discussion, since, upon its second reading, a motion was made for its postponement, but after a debate the motion was lost and the resolution was adopted. On February 26 the bill for the Declaratory Act was brought in, and, without further debate, it was passed on March 4.

No report of the debate here presented is to be found in the *Parliamentary History of England*,⁵ but a brief summary of it is given by Bancroft, drawn, as he states, from the report made by Charles Garth⁶ to South Carolina, February 9, 1766.⁷ A much fuller account of the proceedings of the committee is to be found in a report addressed by Garth on March 5 to the three delegates to the Stamp Act Congress from Maryland; this report has lately been published in the *Maryland Historical Magazine*.⁸

The Declaratory Act and the act for the repeal of the Stamp Act were received by the Lords on the same day, March 5. The discussion of the disturbances in America had been going on in that house since February 10. The Declaratory Act reached its second reading in the Lords on March 7 and passed on March 13. On March 11 the bill for the repeal of the Stamp Act was read for the second time and the debate presented on a later page by Mr. Temperley followed a motion to commit it.

I.

Genl Conway moved that

I glory that I have not advised the sending a force there.

The Americans irritated by repeated Blows in their Trade and Property. New Modes of Taxation always irritate. Lumber, Melasses, Swarms of Cutters, exhausted by the War, in debt. We had just paid their Debt and then called upon them to contribute to ours. I think an internal Tax false in its principle and dangerous in its consequences.

*Mr Doudeswell*⁹ seconds it.

Mr Stanley.¹⁰ I wish to see the whole Extent of what I am doing wr.¹¹ this Motion be only to give a specious Appearance to the Neglect

⁵ The account of the passage of the Declaratory Act, given in Almon's *Debates and Proceedings* (1772) and in Debrett's *History, Debates, and Proceedings* (1792), is identical with that in Cobbett.

⁶ Charles Garth, member for Devizes, was agent for the colonies of South Carolina and Maryland.

⁷ Bancroft, *History of the United States* (Boston, 1858), V. 415.

⁸ *Md. Hist. Mag.*, VI. 291-302.

⁹ William Doudeswell, chancellor of the exchequer, M.P. for Worcestershire

¹⁰ Hans Stanley, commissioner of the Admiralty, M.P. for Southampton.

¹¹ Whether.

of exercising the Right or the first Step towards the enforcing of it. In support of my former opinion some have reasoned as if the first Planters had recovered their State of Nature. This Doctrine mischievous to the Colonies. No British Subject can renounce his Allegiance, with respect to Representations we are not Nobles: not feudal Tenants, not confined to a Profession but open to all Professions. The Commercial and landed Interest concerned in the Welfare of America: We have shewn them always Attention. Copy¹² nor Manufr¹³ not represented no more than the American. No hardship upon either. Every Man has Life and Liberty if he has not Property, if you rescind the Boroughs you make an Oligarchy, if you throw them into the counties you will have no quiet Election, 80 candidates in Cornwall. Mr St John in his argt on Ship Money argues that the power of laying Taxes and Laws are always in the same Legislature. If we have a separate Power as Representatives why not tax all but the Peers by ordinance. This a novel Doctrine! It was always talk'd of during the War. Mr Legge¹⁴ pointed out a Tax as a Gleam of Comfort under our distress to support their army, recd with full approbation. My Principle is that my Country is sinking under a Burthen which she cant bear without assistance. If this be only a specious Preliminary we only deceive ourselves and shall in effect divide America. I am persuaded that enacting Laws and laying taxes so entirely go togr that if we surrender the one we lose the others. The Americans have not made the futile Distinction between internal and external taxes. It would be arbitrary to raise the one if we ought not to raise the other. Massts Bay Resns, on Octr 1764, enact[ing] that the Courts shall proceed as if the Act had never passed, is an Act of independent Legislature. They have exceeded what this House has ever done Meeting in a federal Union not to be dissolved by the Crown. They will soon become more useful Allies to France than to you as appears from the papers. Respect may continue but Obedience ceases, if the House cd do so frivolous an Act as to vote the Right and repeal the Act: The Repeal will not remedy the Disorders: They will argue Reprn. further on your own Admissions. All their Petitions are Insults on your authority. No Resemblance to this and disputing your Juris[dictio]n. They have put the Mother Country under an Interdict and forbid Imports from hence.

*Mr. Yorke.*¹⁵ I consider this as the Way of Proceeding most consistent with your Dignity separating the Q of Right from that of Expediency. I shall be ready to repeal if I see Impracticability and will make free with my former Vote upon further Lights. The Roman Senate said *inconsulto statuimus consultius revocamus*. I wd. repeal not wantonly because it is asked, not timidly because it is resisted, but on being convinced of the Inexpediency, but I am clear on the Right. The sovereign Legislature must be supream. The Privileges of Lithuania and the Subdivisions of Holland are destructive of each country but we are governd by one Plan of uniform Authority. The Colonists carried with them the Laws of their Mother Country. They wanted Protection and owed Allegiance, they carried with them their

¹² Copyholder.

¹³ Henry Bilson-Legge, chancellor of the exchequer during most of the Seven Years' War.

¹⁴ Charles Yorke, attorney-general, M.P. for Reigate.

personal Rights but they wanted the powers of Justice and of Mercy till given by the Crown. The Legislative Power of Parlt extends as far as the Power of the Crown; you have limited the Succession of the Crown, established martial Law, given Modes of Trial, and have communicated the Jura Civitatis to foreigners (wch the Crown cannot do) in all parts of the Kings Dominions. Ireland had been lost in the civil Wars and at the Revolution but for the Supremacy of the Legislature. At the Revolution, you gave the Crown of Ireland, you abrogated oaths, establish'd new ones, absolv'd by 3 and 4 W. 3. from Penalties incurred by Irish Acts for Debts to the Crown, you sold the forfeited Estates to be paid into the Exchr in Engld by 10 W. 3. established an Army to be provided for annually there, if they exceeded their Number you would say it was contrary to Law. The Proceedings agst. Mr. Moleneux¹⁵ in this house, appd a Comte to examine the Book, voted them pernicious and addressed the King to enquire after the Author. These all since the Revolution. James I. was anxious that Ireland shd hold only of the Crown and advised in vain with Mr. Selden upon it. 1 Ph. and M. The Parlt represent the whole Body of the Realm and all the Dominions of the same. The Colonies not like those from the North that great Seminary of Nations. they come out to seek Establishts without any Reference to the State they left, nor like those of Greece. they only carried with them only Respect and often turned agst. the Mother Countries as she rose and fell; but yours are more like of Rome going out under a decree of the Senate non suis radicibus petuntur sed a civitate quasi propagati sunt jura et.¹⁶

The great Virginia Charter comprehends the whole, they are licensed to deduce a Colony. The others are derived out of it. No distinction between the several Sorts of Charter; the Tenures are not from the Crown but from the Soil within the Realm. The Legisl Power given to the Colonies is to be exercised after the manner of corpn in England. The Law can grant no other. He cannot grant away any part of the Supream Legislative. are the Privileges of Pensylvania less than those of the Colonies? The Exempt[ion] there expressed is implied in all the rest.¹⁷ New York 1713. Bill to raise a Revenue was prepared by Sr. E. Northey and Sr. R. Raymond. In 1716¹⁸ on the Disorders in Carolina Lord Stanhope prepared a Bill for resuming the Judicial Powers in the Charter Govts and was twice read. In 1625 the first Virginia Charter vacated and on petition of the Agents they desired Exemption from Impositions except by Assembly and were answered that they shd not unless by the King in Parliament, i. e. not to the King

¹⁵ William Molyneux, author of *The Case of Ireland being bound by Acts of Parliament in England stated* (1698), condemned by the English House of Commons. *Journals of the House of Commons*, XII. 331.

¹⁶ Qu. ? non suis radicibus ponuntur sed a civitate quasi propagatae sunt jure et institutis patriae.

¹⁷ The clause in the Pennsylvania charter of 1681 reads as follows: "That Wee, our heires and Successors, shall at no time hereafter sett or make, or cause to be sett, any imposition, custome or other taxation, rate or contribution whatsoever, in and upon the . . . inhabitants of the aforesaid Province . . . unless the same be with the consent of the Proprietary, or chiefe governor, or assembly, or by act of Parliament in England".

¹⁸ 1715. See Miss L. P. Kellogg in the American Historical Association's *Annual Report*, 1903, I. 309-310.

without Parls. In the case of the Massachusetts their first Charter gave no power of taxation, in 1684 vacated, held to be legal: applied to have it reversed: the Sr. G. Treby before Lord Somers Holt and Pollexfen told them that if they took their old Charter and imposed Taxes and call'd assemblies their Charter might again be repeal'd. This proves that all those powers are derived from the Crown. Want of Repres. is Consiõn of Equity of Right. Preamble to the Act of Durham. The old Subsidy Acts have express Words to bind all the King's Dominions. The Exceptions are not want of Representn for some actually represented as Wales, the Northern Counties. Exemptions of Individuals then usual tho' not always allowed. The Subsidies were then considered as Crown Revenue: the Appropriation Clause was introduced since the Revolution. Why are Copyhrs excluded on a speculative Distinction: Why lay any tax in the Colonies? In 1672 on the Conference on an Impost Bill,¹⁸ Tunnage and Poundage are considered the same as Impns¹⁹ on Land tho' then material the Lands not being concerned in Merchandize. In 1755 Complaint of the Neglect of Pensylvania to the Council as a Breach of Trust. The Language of the Resolutions is subversive of all legislative Authority. In Politics as in Religion an Offence agst one part is an Offence agst the whole. Unless you assert your legislative Authority no friend will trust you no Enemy will fear you.

*Mr. Beckford.*²⁰ L. Coke says in Dr. Bonnom's Case 118 that the common Law in many cases controuls Acts of Parlt.²¹ The Cases of New York and Carolina were both on their refusal to provide for Necessary Services. The Case of Jamaica was the Parlt or the Assembly and if the Assemblies will not the great controuling Power shall. Ireland is a conquered Country, Pensylvania a Grant to a private Man. The dernier Resort of the colonsts is to the K. in Council. I positively deny the Right. Are the Colonies to be taxed by their own assemblies and Parlt.

*Mr. Nugent.*²² I am sorry that the American who has carried the Privileges has left behind him the obligations of Britons; he is not entitled to one without the other: if he is not obliged to pay obedience wherever he goes he is an alien: he is indeed conquered. Your Resolution ought not to be so generaly, Specific words shd point out the specific cause of Resistance.

Genl. Conway. I have no doubt on the Right because I cannot distinguish between internal and external cases but I doubt of the Justice, Equity and Expediency. The Americans have denied the whole and I say that we have a right to bind them in all.

*Mr. Blackstone.*²³ I approve of the Proposition because it is conceived in the most general and universal Words that can possibly be imagined. As to the Objt. of Representations if we taxed only in our representative capacity the Commons wd have the sole right of taxing for we are the only Representatives: but the other Parts of the Leg. must consent or our Vote has no Effect. Magna Charta and the Stat.

¹⁸ See *Parl. Hist.*, IV. 480-495.

¹⁹ Impositions.

²⁰ Alderman William Beckford, M.P. for the City of London.

²¹ 8 Coke's *Reports*, 118 a, case of Dr. Bonham.

²² Robert Nugent, M.P. for Bristol.

²³ Sir William Blackstone, author of the *Commentaries*, M.P. for Hindon.

of E. 1. and E. 3. referred to in the Pet. of Right say that Taxes are to be laid per commune consilium. No Tallage shall be imposed without Consent of Nobles, Knights, Burgesses and other Freemen of the Realm. Pet of Right without common Consent by Act of Parlt. The Commons have the sole Right of proposing and regulating the Mode because perhaps this is a temporary Body and, not so influenced by the Crown. In the Conferences 1671 the Managers directed not to enter into the Question and compare it to the Judicature of the Lords.²⁴ They did not insist upon their Representative Capacity. It is the Representative of the Nation and not of Individuals. The Counties Palatine bound a large Body of Freehds a 16th part of the whole—the Towns of Birmingham and Manchester; if we were now to form a new Constitution Reasons might be given for admitting Leasehds. and I had rather have our old Constitution. It is a Contradn to say that the inferior must send Repres. to the superior: it then becomes a part of that superior and is both Subject and Sovereign. The Colonies are not part of the Realm but of the Dominions not bound unless named because they have Legislatures of their own. Sovereignty and Legislature go always together. They may dispute one Law as well as another. All the Dominions of G. B. are bound by Acts of Parlt—Calais, Guienne, Jersey, Guernsey, Ireland—and never contended that they must be represented. Calais only represented. H. 8 capriciously gave them Representatives but he gave none to others. Calais bound by Subsidy Acts before that time. In the Usurpation the House of Commons never pretended that all must be represented but declared that all in Ireland and Jersey shd be bound by the Representatives of this Kingdom tho' they declared that all right of Govt belonged to those Representatives. This was in 1648. In 1650 on passing the Act of Navigation declared all American Colonies subject to England. Preamble to the same. In the Subsidy Acts Calais, Guernsey, Jersey, Guianne, are expected as *necessarily* from all the King's Dominions. In 1621 and 1623 free fishery declared (Journals) objd that it ought not to make Laws for Virginia because it encroached the K. Prerogative pass'd and resolved 17th March 1763. 5. G. 2. c. 7. Paper Currency. Q. Ann's Act for cutting down trees. All Penalties are Taxations, the Stamp Act is but a penal Law as almost all Revenue Laws are. The Law for quartering Soldiers is a Tax. Post Office Act voted by the Comee of Ways and Means and is an internal Taxation.

*Mr. T. Pitt.*²⁵ The first Settlers owed obedience. at what distance did it cease. but better deny the Right than assert it and say that in fact we have it not whatever we say or that we dare not. does the Expediency arise from their Resistance.

*Mr. Hussey.*²⁶ The Colonies are annex'd unalienably to the Crown. The Sovereign power has a right to permit the Departure of the Subjects on whatever Conditions it pleases and if they make no Conditions he carries with him the common Law. To that he owes Obedience and receives Protection. The common Law says he shall be bound by an Act of Parlt. The Fact was K. J. 1. assumed all Sovereign Power. The Lawyers then thought he might give them what Laws he pleased. It was said so in this house by the Secy of State. The Charters gave powers a King of Engd cannot. Hence arises the obscurity about the

²⁴ *Parl. Hist.*, IV. 480-495.

²⁵ Thomas Pitt, M.P. for Old Sarum.

²⁶ Richard Hussey, M.P. for St. Mawes.

Constitution of the Colonies. the mistake was that no part can delegate its Supremacy without Consent of the others: It might have been done by Act of Parlt and My Notion of Represent. is, All Govt. began by Compact By Agreemt. Freehds. and Burgesses shall chuse and be chosen and the Elected represents the whole people. This allowed in all but Taxation they represent territorially. It is sd. that the Commons alone can give and therefore not the Money of the Americans. The Relation of the Subject cannot be considered as territorial, he can't get rid of his Allegiance by Change of Territory. That fact as clear in Taxation as in every other Case. No distinction by the common Law. Consent says the Constitution is as necessary to every Law. All the Judges have always avowed that any of the King's Dominions are bound if named. Exceptions before mentioned from the Subsidy Acts prove it. I cannot distinguish internal Taxes, if the St. Act is illegal so is the Act of Navign. It wd be impossible for a Lawyer to distinguish internal from external. Obedience wd be uncertain. But it is summum Jus and summa Injuria. The Colonies went out on the faith of the King's Charters. They have been in many Instances recognized by the Legislature. It never acquiesced in the Privileges of Trade, the Act of Navigation immediately followed the Charter. Never the Taxation carried so far as by the St. Act. The Post Office for Convenience at first, not thought of a[s] Revenue till Q. Ann's Time. It never produced a Revenue till lately. The K. by assenting to the St. Act has overturned as a limited Monarch the Privileges granted by his Predecessors as an absolute Monarch. Their Abilities shd have been known, their comparative Wealth, what we got by their Trade, how much it was taxed; we then should have made a Requisition and to say pay or we will tax you. The Parlt. I believe never taxed Countries who had Legislatures of their own, you have therefore not imitated the wisdom of your predecessors.

*Mr Wedderburn.*²⁷ It is wisely said in your Journals that it can never tend to any profitable purpose to canvass fundamental Principles. The Seditions in America do not relate to the St. Act only. The Sovty. of this Nation resides in K. Lords and Commons who represent the whole State of the Kingdom and must be Sovereign in taxes as well as others. by the same right as you affect the Lives and Liberties you affect the Properties of the Subjects. None of your legislative Acts are founded on Repres. The first Settlers in New E. they excluded above 2/3 of their Numbers. 4 R. 2. These Principles condemnd. In 1649 after destroying the House of Lords. In 1681 the Decree of the University of Oxford. These Principles now urged by the Americans to support the Democracy by those here to extend Prerogative. I think it absurd to declare the Right and avow that it is ever improper to exercise it (Resolution of Mass. Bay). The Colonies never disputed the Right of internal Taxes. Under Virg. Charter the K. by Prer. taxed them to favour the Tobacco of Spain. The Council in Engd made the first Laws for Virginia, Deputies of the Crown, and the first Laws made by the Colonists was approved by the Council. In the time of C. 1. Secy. Calvert obtained Maryl. Char. King's Power of Taxation. In C. 2. Pensylvania Chart., the K's Right of Taxing taken away and therefore the Power of Parlt reserved. When did the Pensylvns ac-

²⁷ Alexander Wedderburn, afterward Lord Loughborough, M.P. for Ayr burghs.

quire Exemption. In 1683 the D of York and his Governors imposed taxes in New York. In Reign of C. 1. the 4½ p Cent imposed all by Prer. They never therefore disputed the Right of this Country in Taxation first by Prer., now by Parlt. There has been no Acquiescence on our part.

*Mr. Serjant Huet.*²⁸

*Mr. Burke.*²⁹ Some of Charters declare the Right, others suppose it, none deny it. The Courts to wch they apply determine agst them. There is a real Distinction in every Country between the speculative and practical Constitution of that Country, arising from the Circumstance proper for receiving the first Principles of its Constitution. The King's Negative. The Right of the Clergy in Convocation to tax themselves. Let them evaporate do not expunge them. The British Empire must be governed on a Plan of Freedom for it will be governed by no other. They were meer Corporations, Fishermen and Furriers, they are now commonwealths. Give them an Interest in his Allegiance, give them some Resemblance of the British Constitution, some idea of popular Representation. Draw the Line where you please between perfect and no Repres., but draw the Line somewhere between the two Extrems and I shall vote for this Motion because I know not how to fix Bounds to the coercive Powers of the British Legislature.

*L. F. Campbell.*³⁰ I think nothing more dangerous than the Distinction between theoretical and practical Laws. the Ex[ecut]ion of dormant penal Laws was one of the principal Complaints agst J. 1. The Mode of Requisition is the Remnant of old Prerogative.

*Coll Barre.*³¹ I shall move to leave out the words in all Cases whatsoever. The Legislature of this like that of every other Country is supream. It cannot be controuled: but it ought to controul itself and in that sense you have no right to lay an internal Tax on N. A. The Essence of an assembly is the power of granting Money, if you encroach upon that you deprive them of the very Essence of Liberty. All the forms of Law were kept up in the Time of C. 1. but there was no Parlt and you were Slaves. In Gibraltar and Minorca oppression is often exercised. Representatives from thence absurd: To have the Representatives of 3 meet here the Repres. of 7 Millions. If you do not mean to enforce the Law leave out the Words for they destroy Confidence. They will expect another St. Act. If you draw the Sword the Colonies are no longer yours. Suppose you subject them, you destroy your Commerce: France has not insisted upon Submission from her own provinces who have Estates in the heart of France:

Mr. Dowdeswell. If the Words were left out the Resolution wd be too much confined. I do not know the Oblign Men are under to one Species of Laws and not to another. If I did not think him bound by all Laws I wd leave out the whole Resolution and to repeal many Acts of Parlt. I do not see the Necessity of Consent to Taxations and not to Acts affecting my Life and attainting my Blood. When you declared customary Freehds had no Votes did you mean that they were not represented or bound? The Colonists depopulated this Country by peopling their own: if they are not Subordinate they are a Loss. In

²⁸ Sergeant James Hewett, M.P. for Coventry.

²⁹ Edmund Burke, M.P. for Wendover.

³⁰ Lord Frederick Campbell, M.P. for Glasgow burghs.

³¹ Colonel Isaac Barré, M.P. for Chipping Wycombe.

1717³² Bill to take away their Charters and if you may not tax you may not take away Charters and Dummer³³ that tho' the Law wd be cruel and unjust it wd be submitttd to. if you cramp the Resn. they will dispute all Acts they have disputed most. The Act of Navign was not enforced in Mass. Bay till 17 yrs after it was pass'd and they passed Act of Assembly because not represented. In 1748 Pet. on Paper Currency bec. they have an assembly of their own. In 1764 an Opposn. to 4th King on the same principle. If you repeal the Act you will do it more safely after declaring the right: not on their Resistance but in considn of the Represns of your Merchts. If you maintain it this Resn. is to your purpose.

*Mr. Grenville.*³⁴ I must lament that the executive power of Govt is entrusted to one who apologizes for Rebellion. The Cutters were established in 1763. The next year was the greatest that ever was and this was the Grievance. The Virginia Pamphlet States the Act of Navn. as a Tax. The Americans believed St. Act wd be repealed: have they been deceived? Every Country wd do the same. Is it difficult for Ministers to get Petns agst Taxes. I opposed the Tax upon Beer, could not I first Comr of Treasy have got Petns from all the Mughouses in London and gained Popularity, but my Dissent was precluded by the Wisdom of Parlt. As to what he said of using force, has he not order'd all the Govrs. to send to Genl. Gage for a military force. We must account for it by knowing that Genl Gage had none to send. So resolve not to give up the right but for fear this shd. do no good in America he thinks the Act contrary to Equity. No Cutters sent to W. Indies, no orders given to interrupt the Spanish Trade. No power in the original Charters to call assemblies. The learned Gentleman did not quote any proof that the Right of raising internal taxes exclusively was ever recognized. The Right to tax has been recognized and the same right has been recognized in the City of London. 8 W. 3. forfeits Charters if the due means be not taken to punish Piracies. The printed Case for Mass. Bay in 1715 desires to be put on the foot of all other in Englad. and desires that their Charters may not be taken away unless they have been guilty.

I do not know that any Requisitions to raise Money: certainly not by Parlt then by a Secretary of State. does he consider that all Loans and Benevolences except by Consent of Parlt is illegal. That Doctrine of Requisn may one day put the King out of the power of Parlt. One Gentleman has compared this to a poetical fiction and a Question of Theory: We have then sat too long. If you have no right the Repeal is a necessary Consequence and I had rather agree in this than meanly attempt to deceive Mankind into a Belief that we mean to establish a Right we avow we do not mean to exercise. The Rebellion of 1715 was bec an Act ed not overule the divine indefeasible Right of Kings. At no time were so great commercial taxes given to the Colonies as in the two years of these taxes. I wish the Law were more wrong than it is that Eng. might give way to Justice and Reason not to force and Resistance.

Mr Pitt. If Liberty be not countenanced in America it will sicken fade and die in this Country. I rise to second the Amendment. It is

³² 1715.

³³ Jeremiah Dummer, *Defence of the New England Charters* (London, 1721).

³⁴ George Grenville, M.P. for Buckingham.

absurd to vote the Right in order not to exercise it. If they have a Right they have it on all Grounds, on Compact amongst them: there is not a Man readier than I am to punish the Violence but redress the Grievances. It imports the Dignity of this Country to see some of the Offenders brought to Punishment. I think them deprived of a Right: but by an authority they ought not to question. The first Settlers carried with them every Right consistent with their Situation and the Parlt has not a right to lay internal taxations. Repn. and Taxation go together and always have in this Country. Counties Palatine did tax themselves and Writs of Requisition were sent to them from the Crown. In the Patent for erecting Lancaster it is reserved. An Act of R. 2 affirms the Exception in favour of the Counties palatine tho it includes the Cinque Ports. Not look into foundations! What wd this doctrine have concluded when prer. was thought fundamental. Machievel says look often into your Principles: What else produced the Reformation? What revived Liberty in this Country? In the time of E. 2. the Clergy taxed themselves tho' the great Clergy sat in the Legislature. The Convention who laid the Taxes were not the Legislature. In the Conference 1671 the Commons say the Clergy have a right to tax themselves. The upper house never alter the Acts of the lower nor does Parlt ever alter them. It proves that Legislature and Taxation were seperable. To impose the Tax belongs to the Legislature but this house only grants the Money. That is the ground-work on which the Legislature proceeds. Your first Act is to vote that a Supply be granted and till that is done the whole Legislature stagnates. The Speaker presents it as a Grant of the Commons. America was of mean Beginnings so was Rome but the scanty fountain is now become a large Stream covered with Sails and floated with Commerce and nothing should prevent my using an Effort beyond my force to avert the Dangers of such an express and full Declaration. I think you have not the Right. I mean to waive it by Silence and the most magnanimous Exertion of Power is often in the Non Exertion of it. I wish this to be an Empire of Freemen: it will be the stronger for it and it will be the more easily governed. Let the Premises and Consequences agree therefore, decline the Right, do not let Lenity be misapplied nor Rigour unexecuted: take not the worst of both. The Colonies are too great an object to be grasped but in the arms of affection.

*Sr. F. Norton.*²⁵ He assumed the Proposition that Taxation and Repres. go together. I thought that Argt had been beat out of the house. There never was a time when that Idea was true. It is not true before the Norman Period: Men were call'd to the Council by virtue of Tenure. No House of Commons till H. 3. In Magna Charta a Petn. to the Crown that Taxes [should] not be levied without the Consent of the whole of the Great Council. They claim'd the Right common to all Legislatures that Taxation and Legislation go together. Magna Charta *gives and grants* and yet it was only declaratory, so that the Give and Grant of the Commons proves too much. The Clergy taxed themselves because the Popes exempted the Clergy from Taxation, I mean the beneficed Taxation [Clergy?]. Their Lands were exempted and not their Goods and that introduced the tenths and fifteenths instead of Subsidies. Exceptions in the Subsidy Acts not only for the Counties Pala-

²⁵ Sir Fletcher Norton, M.P. for Wigan.

tine and the Northern Counties becs the latter bore large Burthens as frontiers and bec the latter taxed themselves and thereby answered the same purposes. Lord Coke, Lord Ch. J. Anderson, and in Meeting of the twelve Judges, it has been determined that all the Kings Dominions shd be subject to the Laws. I think the Declaration unnecessary but if it must be the more general the better. If you follow the Decln by a Repeal it is a Mockery of Parlt. The assembly of Boston is on a better footing. they will enjoy their Declaration, we shall not. I wd receive the American with open arms but I would receive him penitent and if something is not done to support this Law it will be the last you will pass upon North America.

II.

The following report of the debate in the House of Lords on the second reading of the Repeal of the Stamp Act is drawn from the Hardwicke Papers in the British Museum, Add. MSS. 35912 (Hardwicke Papers, vol. DLXIV., ff. 76 *et seq.*). Miss Kate Hotblack, B.A. of Dublin University, has greatly assisted the writer in the deciphering of this manuscript and in commenting on it.

Cobbett in *Parliamentary History*, XVI. 181, note, states that these debates have been nowhere preserved. It seems well therefore to deal with this report from the point of view, first of its authenticity, secondly of its value.

1. *Authenticity.* Cobbett printed several of his debates from the Hardwicke Papers,³⁶ but had not access to this one. The reason is fairly obvious: this report was taken down by Hardwicke when the House was cleared of all outsiders, and was no doubt carefully locked up afterwards by him. Of its genuineness in the sense of being Hardwicke's own report of the debate there can be no doubt. It is unmistakably in his own handwriting and has all the marks of being a report written during the actual debate. The handwriting is hurried, there are mistakes, abbreviations, some missing and some illegible words. The writing is on both sides of the paper and blotted as though with hasty folding. How far it genuinely represents the views of the speakers is perhaps a fair question. Sometimes there is only a summary, sometimes a few broken and detached sentences, sometimes a fairly full report. On the other hand, we have in another instance a means of finding out if Hardwicke was a good reporter. Hardwicke's report of the speeches at Pitt's last cabinet has been published and may be compared with Newcastle's.³⁷

³⁶ *E. g.*, the debate of February 10, 1766, in the House of Lords on the power of the king to make laws and statutes to bind the colonies, and the debate of December 15, 1768, in the Lords on Discontents in America, both printed in Cobbett, *Parliamentary History*, XVI. 163-177, 476-477.

³⁷ *English Historical Review*, XXI. 130-132, 329-330 (1906); extracts published by W. Hunt and by myself.

A comparison shows that, while Newcastle's is the more lengthy, Hardwicke's is the more real and vivid, and that there is no reason to suppose that the latter missed anything vital or essential in the speeches which he abbreviates. On the whole, therefore, it seems probable that the Stamp Act Debate is adequately reported by Hardwicke.

2. *Value.* The real advantage of this report is that the Lords spoke behind closed doors and therefore could express their minds freely. The Chancellor, Lord Northington, openly says, "As the House is cleared and none of the House of Commons here—I will tell your lordships", etc. The Lords shunned conflicts with the House of Commons in this era, and the Chancellor gives an interesting explanation of why they did so. Yet the Lords were, in a real sense, the rulers of England at this juncture, and this debate undoubtedly reveals their true feelings at this momentous crisis of policy. It is of some interest that the speech of Lord Shelburne here given, like his speech on the first reading, was silent on the question of legal right, and emphasized the commercial side of the question. It appears also that he spoke in this case as the direct mouthpiece of Pitt.³⁸ Newcastle's attitude on the Stamp Act question is consistent throughout, and he distinguished himself at least as much by his knowledge of commerce and by his disinterested conduct on this occasion as upon any in his career.³⁹ Lord Camden's argument follows the same lines as in his speech on the Declaratory Bill⁴⁰ but relies less on natural right. Lord Mansfield is much more interesting than in his speech on the first reading, because his words are exceedingly forcible, and betray those real feelings which were so often disguised in his public utterances.⁴¹ No speech is more emphatic on the gravity of the decision to the unity of the empire. The whole tenor of the speeches, and the fact that at least one unusual speaker intervened specially in the debate, show that the Lords at least were thoroughly alarmed by the crisis. It is also remarkable that they divined the real nature of the opposition and resistance created by the Stamp Act. Only two of the speeches deal with the matter from a purely legal standpoint, and in one of these legal speeches Lord Camden says, "the true connection between

³⁸ See Fitzmaurice, *Life of Shelburne*, I. 322-323, 364-377, 384-387. Shelburne's speech on the first reading is in *Parliamentary History*, XVI. 165-166.

³⁹ Newcastle's assertion that the trade of England was declining everywhere except in America is supported by Public Record Office Trade Bundle C. O. 388, 48; for his general attitude, see Winstanley, *Personal and Party Government* (Cambridge, 1910), pp. 244-264.

⁴⁰ *Parl. Hist.*, XVI. 177-181.

⁴¹ Mansfield's speech on the first reading is in *Parl. Hist.*, XVI. 172-177.

the colonies and Great Britain is commercial", while in the other Lord Mansfield sums up his argument by saying, "The Americans may think they have a right to an open trade and establishment of manufactures. What then would become of us?" A perusal of the summary of the debate in both Houses, given in *Parliamentary History*, XVI. 193-206, shows that while the arguments of the Commons are fairly reproduced, those of the Lords are imperfectly given. In fact the judgment of the Lords in the crisis was more accurate than that of the Commons and, by concerning themselves mainly with the commercial question, they anticipated the view of modern historians.⁴²

H. W. V. TEMPERLEY.

[Extract from Cobbett's *Parliamentary History*, XVI. 181, for March 11, 1766.

"The order of the day being read for the second reading of the Bill, intituled, 'An Act to repeal an act made in the last session of parliament, intituled, An Act for granting and applying certain Stamp Duties, and other duties in the British colonies and plantations in America, towards farther defraying the expences of defending, protecting, and securing the same, and for amending such parts of the several acts of parliament relating to the trade and revenues of the said colonies and plantations, as direct the manner of determining and recovering the penalties and forfeitures therein mentioned:'

"Then the said Bill was read a second time, and it being proposed to commit the Bill, the same was objected to, Content 73; Proxies 32; Total 105; Not Contents 61; Proxies 10; Total 71; Majority 34.

"After a long debate thereupon, the question was put, whether the said Bill shall be committed? It was resolved in the affirmative.

"Speakers on the second reading:

Against the Bill.

1. Earl of Coventry.
3. Earl of Sandwich.
5. Earl of Halifax.
9. Lord Botetourt.
10. Earl of Suffolk.
12. Lord Lyttelton.
14. Lord Mansfield.
16. Visc. Townshend.
17. Earl Temple.
18. Duke of Bedford.

For the Bill.

2. D. of Newcastle.
4. Duke of Grafton.
6. D. of Richmond.
7. Earl Poulet.
8. Earl of Pomfret.
11. Lord Chancellor.
13. Earl of Shelburne.
15. Lord Camden.

"The speeches of these noble lords have not been any where preserved".]

⁴² The voting in the Lords on the Repeal, 11 March, 1766, was 105 to 71. Of the latter 19 were placemen, who were presumably influenced by the king. See Winstanley, p. 307. On the subject of court influence in the Lords see also Fitzmaurice, *Shelburne*, I. 366.

Monday in a Committee upon the Bill declaring the Right etc.

Preamble read.

Lord Dartmouth. This Bill My Lords is of great and National Importance. It declares a Right to Exist in the Supreme Legislature of Great Britain which has been disputed all over America.

The Tendency of the Bill in the Light I consider it is to restore Tranquillity to America and Great Britain.

In the Observations I mean to make at present I will confine myself to the Preamble which has been just now read but I hope that in both the Preamble and Enacting part Noble Lords will all give their Assistance in making the Bill as perfect as possible as it is a Bill of so great Importance. It has been said by a Noble Lord that the Preamble is founded on a Mistake, that is such part of it as says that Several of the Assemblies have taken on themselves to assert or assume their Sole and Exclusive Right of Taxation which, it is said, is not a Fact warranted by the Papers on Your Lordships Table.

I confess, my Lords, from the Inaccuracy with which the American Resolutions have been penned it is very natural that a Difference of Opinion should arise upon the Import and Meaning of these Resolutions, but yet I can't help saying that my Opinion is that this Preamble, as it at present stands, is well warranted upon the true and genuine Construction of Resolutions of the Assemblies of Virginia and Pennsylvania. These Resolutions assert that they have the Exclusive and sole Right to lay Taxes on the respective Provinces, but it occurs to me that by the Insertion of a few Words all Disputes will cease.

I therefore move after the Words "claim to themselves" that the Words "*or to the General Assemblies of the same*" may be inserted.

Preamble amended by inserting these Words.

Enacting part read . . .

Lord Marchmont. I have reason to hope by the Appearance of the House that Nothing need be said in Support of this which I will call the Enacting part of the Bill.

[The] Noble Lord has said that there is a Mistake in this part of the Bill and supposes it to have been copied from a Precedent which had No Resemblance to this, but I hope to shew Your Lordships from the Journals of both Houses that the cases are the same.

In order to do that, it is necessary to give the History of that Matter.

In the year 1697 7 Jan. a Committee of the House of Lords was appointed to enquire how Appeals were brought from Ireland, on the House of Lords there⁴² claiming a Right of Appeal to them. In 1698 Plantation of Ulster with Bishop of Derry. But at this Time Ireland did not only dispute the Jurisdiction of Your Lordships as a Court of Appeal but likewise the Authority of [the] Legislature of this Country to bind that. And therefore as soon as House of Lords had asserted their Jurisdiction the [English] House of Commons on Account of Molyneux's Book and Resolutions of House of Commons in Ireland thought proper to assert the Jurisdiction of the Legislature. And made a Representation to the King which may be found in the Journals. This Address prevented the Irish from going any further, but upon the House of Lords finding that what had been done by them in the Bishop of Derry's case was not sufficient to prevent the House of Lords

⁴² *I. e.*, the Irish House of Lords.

in Ireland from assuming the right of Appeal, as in the year 1717 in Mr. Annesley's Case they did it again, the House of Lords then thought proper to go further than in the former Case, and therefore Ordered a Bill to be brought in. History of that Bill as brought in by Judges, altered by Commons and passed by Lords.*

The Bill [that was] past on this occasion [was] very like the present. [The] Noble Lord objected that there is no Enacting Clause. At the time of the Revolution this Objection was taken when our Great Deliverer was declared King of this Realm.

Every Lawyer knows that the word *Declare* is tantamount to *Enact*.

In the Debate on [the] Revolution an Attempt was made to insert the Word *Adjudge* (following in this the Idea of the Civil Law) but it was thought proper to reject this word as tending to avow in Parliament a power of judging and determining in this Arduous Matter.

These were the Mistakes supposed to be in the Bill which willing to give Your Lordships My Idea of.

As to the present Bill, does not look at it in any other Light but as a preliminary Measure—has always thought that Administration must go farther and has given his Sentiments on that Head to a Noble Lord in Administration.

Lord Mansfield. When [he] made Observation last Friday—declared that He would propose No Amendment.

After paying great Attention to Noble Lord my Doubt still remains.

The Object of the Bill as it at present stands is not [to deal with] *persons denying the Authority of British Legislature*, which thinks ought to be the Object.

Asks Lord M[archmont] whether Irish in 1698 in the Bill sent denied [the] Authority of Parliament. *Ans.* 12 V[ol.] Journals of House of Commons page 331 the whole proceeding may be seen—the Authority of Parliament was there denied.**

As to what Noble Lord says that *Declare* and *Enact* are synonymous, agrees with this Lord, but My Objection is that this Act enacts Votes to be void. Now that I think unnecessary.

Duke of Newcastle reads the Declaratory part of the Act made on Occasion of Ireland's behaving in same Way as America—the Enacting or Declaratory Words in the Irish Act [are the] same as those in the Act at present before Committee. [He] could have wished that this Question had never come before House but it was the fault of Americans who by their Resolutions and their opposition to Law first made the Question.

[He] has heard with great pleasure the Arguments on the Subject of Right—thinks the Supreme power must have a Right to bind its Subjects wherever they are by Laws and Statutes.

Lord Temple has often declared his opinion that present Act Nugatory. The Act 7-8. W. 3 much stronger than the present. [He] reads Act and afterwards Preamble.

All the Provinces [that are] Corporations may forfeit their Charters—the Chief Justice of England their Visitor. No Reason for this Act, the Americans will scout so will all the Kingdom but the Privy Council. Your Lordships may for their Sake Enact it if you will.

* See *Parl. Hist.*, VII. 642-643.

** *Commons Journals* [of Great Britain], XII. 331, June 27, 1698.

G[overnor] Fauquier in a Letter received July 1757 sends the Resolutions of Assembly of Virginia. In August following Board of Trade makes a Representation to the King on this Head. On 6th September This Representation referred to the Council together with Resolutions of Massachusetts Bay.

On 8th of October Council report that it was a Matter too high for Privy Council to determine and was worthy the Consideration of Parliament.

When Parliament assembled not till December—and then not to do Business.

The only reason therefore for enacting what is at present desired is to tell the Privy Council what the Law of their Country is, which they ought to have known before.

Duke of Richmond. Do not conceive why we're brought into a long Debate by what is absolutely out of Order.

The Orders of Council have been brought into Debate affectedly in order to lengthen the Debate unnecessarily. Let the Noble Lord move for a Day to take the Orders of Council in this Matter under their Consideration and I'll second him—but let us not waste our time. No proposal made for Amendment—the Bill ought to be read through and the Committee to report it.

Lord Pomfret moves that Governors Judges and Justices of Peace etc. in America before they act may take an Oath acknowledging the Supremacy of Legislature of Great Britain and that a Clause to that purpose may be inserted in the Act.

Question put whether such Clause should be added to the Act.

Lord Sandys thinks the Clause informal—never saw an etc. in an Act of Parliament.

Duke of Newcastle moves that the Petition of Merchants of London trading to North America be read.

Petition read.

Duke of Grafton moves the Bill may be committed.

Lord Coventry. I seldom trouble Your Lordships but in an Affair of such Consequence should think myself unworthy of a Seat in this House could I sit here without giving my Reasons for my Dissenting to the further proceeding in this Bill.

The reasons He has heard for this Bill are all such as Nothing but Imbecillity and Impotence could adopt.

As I can't find any Reason for the Repeal, will give your Lordships what I think a good Reason for not repealing it.

You have come into a Resolution asserting your Right and at the same time you're doing an Act by which you give up that Right.

I speak from Principle. I have not varied my thoughts on this Matter 3 or 4 times during the Dependence of the Bill.

Duke of Newcastle. Have never varied my opinion during the Progress of this Bill and shall upon the present occasion give Your Lordships my Reasons for wishing the Repeal of this Bill.

With Regard to the Commercial Interests of this Country—from [the] best Intelligence I can receive the Trade of this Country is declining in Every other part of the World but America. The Turkey Trade our Rivals the French have taken a great part from us. Our Mediteranean Trade is much lessened. Our Portugal notwithstanding the immense sums We have Expended on their account has been

deminishing for several years past and is now in a state I'm sorry to see it in.

[He] alludes to the London Petition and other Petitions to House of Commons and the General State of the American Trade from which (if Nothing else was considered) [there] would be sufficient to shew the Inexpediency of continuing the Stamp Act in America.

Lord Sandwich. Differs so totally with the Noble Duke in what He has said that He chooses to take it up on his Ground.

1st. He thinks that the Reall Commercial Interests of this Country will be greatly affected if this Act repealed.

The present Bill, the most destructive that Ever came into this House, has forced its way through another House by means of that Democratic Interest which this House was constituted to restrain. In this Assembly Men have a Seat by Birth not Election so that No Influence by Electors can be here used.

[It is] Not enough to say you've a Right to lay a Tax—if you don't levy it.

In order to consider the Matter fairly—State what the Americans expect from you and what they're willing to give in Return.

The Americans want to get loose from the Act of Navigation. All the Complaints made against the ships stationed on their Coasts to prevent illicit Trade tend to this purpose.

The Stamp Act [is] not the Object of their Sedition but to try their ground whether by Resistance they can get themselves loose from other Acts more disagreeable and detrimental to them.

Till now I thought the Peace of Fountainbleau One of the greatest Acts ever done for this Country—And that the Persons who Negotiated and planned it deserved the highest Honours from their Country. But if this Act passes I shall alter my Opinion of it. If the Increase of Territory is not increase [of] the Public Revenue we should give it up again in order to save the Expence of defending it. Does not France when She adds Alsace or any other conquered Province add to her Revenue by laying Duties or Taxes on such Provinces?

But will America come to a Compromise in this Matter? Will She on our giving up the Stamp Act give up the Bounties and other Commercial Advantages they have from this Country?

Before I conclude allow me to declare it is my firm Resolution steadily to oppose this and Every other Mode of Partial and unequal Taxation.

I have heard of Another Attempt intended to lay a Tax of this kind.

If [the] Majority should be for passing this Act [I] will enter a public protest.

Duke of Grafton. One Point that all agree in—that the Stamp Act as it now is [is] improper to Stand as a Statute.

If the Dignity of Legislature is to be maintained it is not to be maintained by supporting a Law full of Imperfections and Absurdities.

If the late Ministry had laid before this and the other House the Intelligence they were possessed of I really think this Act such as it is never would have past. If not then It is much more proper now that it Should continue no longer, as the Americans who were then much disconnected are now totally connected on this point.

It is computed that there are now 100,000 Manufacturers out of Employ in Great Britain waiting for the Event of this Act. What must

be the Consequence of not repealing it? An Increase of Poor Rates. A Diminution of the Revenues of Excise. A Loss of the Great Debt from America to England.

It is said that America is not taxed. I answer they pay Taxes in taking your Manufactures. In different Colonies they have various Taxes for internal purposes which in some of the provinces are very high.

If however America is not sufficiently taxed, there are other Means by which they may be taxed—don't tax them universally. By that means you join them when you should keep them asunder.

Lord Halifax. [The] Noble Duke has not in the Course of his Speech pointed out any Defects of the Stamp Act. [He] knows none except as to the Admiralty Court, which might have been obviated if the present Administration had given proper Attention.

If we repeal this Bill we give up the Dignity of this House and the Commerce of the Kingdom. If we amend it in the parts which want amendment we shall preserve both.

By the Papers on your Table and by Accounts I have seen out Doors it appears that this Act will execute itself if the Administration had Spirit enough to enforce it.

Instead of sending 10000 Men to enforce I've always [believed that] 2 or 3 20 Gun-Ships properly stationed would enforce it.

Another Thing I would propose—to alter the Duty and take it off as far as relates from [to] clearing out or coming in of Ships and leave it to operate in all internal Cases which I doubt not would make it go down.

But the Fact is, as it appears from the Papers on your Lordships Table, that it is not the Stamp Act that is opposed but the Authority of this Legislature.

Blame has been thrown on the late Administration of which I was a Part for not laying the Resolutions of [the] American Assemblies before Parliament.

[He] refers to the Order of Council on that Head which Shews that Several Members of Council thought it improper to lay these Papers before Parliament, among whom I was one.

I am against the passing of this Bill, for the sake of Every one of the Bodies of Men for the sake of whom it is pretended to be ushered in here.

As to the Merchants they may receive a Present immediate Advantage by touching the Money at present due to them, but the Blow which will be given to Commerce will be felt by them and their posterity.

As to the Manufacturers—Let them be Employed at the Expence of the Publick for the Advantage of publick till Things become more settled, which would not be long.

As to the Americans. Take from them the Advantage of the British Legislature, they would in a Short time be totally ruined.

Duke of Richmond. Thinks the Principle of the Bill absurd.

That America should be Taxed. The Ballance of Trade with America is in our favour. [The taxing means] the taking away from them the Money with which She was to pay that Ballance. [It] has been said that Americans were returning to their Duty.

How is that reconcileable with the Letters read this Day which say that they are now sending out Emissaries from Town to Town in order to spread the Discontent?

[He] thinks the Noble Lord [Halifax] has not at all justified himself for not laying the Papers before Parliament at the time the Stamp Act was under the Consideration of the House. He had an Order of Council to do it and the neglect to do it, unless his Lordship can shew another Order to the contrary—hopes his Lordship will think it necessary to clear himself on Account of his keeping back these papers, which He can call by no other name than secreting them when ordered by Council to lay them before Parliament.

Lord Poulet, for the Bill.

Lord Pomfret for Bill.

Lord Botetourt against Repeal.

Lord Suffolk. Your Lordships have almost unanimously come to a Resolution that you've a Right to impose Taxes on America—And now you are falsifying that Resolution and submitting to the Resolutions and Commands of the Americans.

They are not to be satisfied with a Modification of the Law nor with an Absolute Repeal.

It is not wonderful that the Americans should wish to shake off the Shackles of Great Britain but it is wonderful that she should find a Sett of men in England ready to second her in these Intentions.

I have with Consistency held the same Ideas with regard to America. I consider her as an Unfortunate People misled by Faction Judges and Seditious Lawyers.

The Noble Lords who said that you have No Right have acted consistently. But what shall be said of those who have been clear in their Sentiments of Acknowledging the Right and would now give up that Right by passing the Bill of Repeal?

Your Lordships, who are the Hereditary Council of this Kingdom, not subject to the Caprice of interested Electors, will view this Matter in the proper Light and will interpose as is your Duty for the Benefit and preservation of the whole.

I have the greatest Compassion for our Brethren the Americans and for their Sakes would not consent to the weakening the Authority of the Mother Country.

It has been said that it is in this Respect advisable to give way to the Americans but if they dared to oppose the Navigation Act or any other Law then a Stand ought to be made against them.

It may not be improper for us to consider what may be the Consequence of this Repeal. May it not be that the Americans will make further Demands till they by Degrees gett to Independency and at last give Law to these from whom they have received it?

Lord Chancellor [Lord Northington] hopes to shew my Principles and Conduct in this Matter—consistent from the Beginning and with the King's speech and Your Lordships' Address.

The Question before you seems to me of a very different Consideration than has been given by Lords of one side or the other.

The Declaratory Bill though not of my begetting I adopted as a Foundation upon which to build a proper Super-Structure.

I reverence those who differ with me in Opinion as much as those who concur with me.

Very great persons have differed in Opinion with me on a very great and interesting Subject. [I] have had the happiness to be justified in my Opinion by the Joint Resolution of both Houses.

If it should be thought right to introduce a Metropolitan Police in America, The Declaratory Bill will be the foundation of it.

Three Months before the Meeting of Parliament [he] declared his Opinion, declares so now, that the Opposition to the Executing the Stamp Act was Rebellion. But how is this Rebellion to be quelled by the Authority of Parliament Only?

In this Case the House of Commons who have alone the Power of giving Subsidies have sent up a Bill for repealing the Stamp Act. The Stamp Act cannot at this time be altered or modified. The only Question is whether the Act of Repeal shall pass or not.

My Conduct in that House may not be able but I'm sure it is not [*sic*] Honest. I have No Engagements nor am I linked with any person and have No Prompter but my Conscience, And guided by that Conscience I would not reject this Bill of Repeal for the Value of all the Estates of the Lords who have spoke in this Debate. What is the Consequence of not repealing it? If it cant be carried into Execution It is putting a Law in the King's Hands which he is sworn to Execute but [h]as not power.

Can I my Lords, a Reall Patriot that despise Fame and Profit when it interferes with my Country's Benefit, Vote against a Repeal sent up by the other House of Parliament who have the right of granting the Subsidies?

What will be the Consequence of rejecting this Bill? Is it not holding out an Invitation to other Insurrections besides those which have already happened in America?

As the House is cleared and none of the House of Commons here I will tell your Lordships what I have read in their Votes and heard out of the House. They have come to a Resolution telling all America their Merchants and their Dependants that they are of Opinion the Bill ought to be repealed. Will Your Lordships by disagreeing with them prevent or delay a Supply? what ruinous Consequence may [that] be attended with.

I have always [been] of Opinion that a Bill of Police is absolutely necessary to be introduced into America. I dont know whether I shall live to see that Police introduced.

The Business requires a great deal of trouble. The time for introducing that Policy is when the Three Branches of Legislature and a firm Ministry concur in introducing it.

Lord Littleton [Lyttelton]. Your Lordships have upon the present Occasion your own Constancy and Dignity to maintain.

You have frequently interposed and when the Civium Ardor prava jumentum had brought the State into great Danger.

It is asked whether the Disagreement with the other House of Parliament might not be attended with the worst Consequences. I think it cannot.

It is impossible to argue stronger against this Bill than Your Lordships have already done by your Resolution declaring the Right.

From the time I first heard of the Insurrections in America in Opposition to this Act I had many Apprehensions for the Consequences which might attend them, but never had the least Suspicion that the Legislature meant on Account of that Opposition to give up the Law.

When this great Concession is made We are, tis said, to be firm in

maintaining all the Laws there, particularly those for regulating their Commerce, which very laws it appears from the Proofs on your Table are the Ground of the present Opposition.

There is no surer Symptom of Infirmary in a Government than to give way to Violence and Opposition which would be Effectually quelled by Exertion of a proper Spirit.

The Point on which We are debating is no Question of Expediency, it is a Question of Sovereignty till the Americans submit to this Legislature.

The repealing the Law is such an Encouragement to the Plan of Intimidation taken up by the Americans as may make them much more unreasonable in future Demands. Their Insolence will encrease by Concessions and where it will stop is not to be known.

By talking big and acting meanly we shall probably draw on us the Contempt of all Europe.

Lord Wickham [Wycombe, i.e., the Earl of Shelburne]. The Principles with which I shall at present trouble your Lordships are all commercial.

Trade and Commerce are the Riches of this Kingdom—And in order to make the Provinces contribute to this Commerce in the proper way you are to take Care they take no Manufacture from other Countries, and that they don't introduce Manufactures there.

The North American trade consists of Gentlemen who carry on Trade for their own Benefit or by Factors.

The Ballance and Advantage of the Colony Trade arises from the Exportation to the other Countries of Europe.

Lord Mansfield. Things are now brought to so perilous a Situation that you have Nothing left you but come to Measures which are at best doubtful in their Consequences.

Refused a Proxy because He would not trust himself with the Vote of any Lord but his own.

The Mischiefs which will attend rejecting this Bill are obvious certain and immediate—on the other Side the Admitting it to pass may be a Measure which instead of removing the Evil may leave a perpetual one in the Room of it.

To see the Consequences of this Bill being past We've to consider the both Bills together.

It is now settled that there is no Restriction to the Legislative Authority of Great Britain.

The Americans have adopted on this fatal Occasion a New Principle that they are not subject to the Legislative Authority of Great Britain. They have refused the Law—have made Reprisals on the Effects of the English there and told them Either repeal the Bill or you shan't have your Effects.

In this Situation what is the Effect [of] repealing this Act? It is the giving up the total Legislature of this Kingdom.

This is the Side of the Measure which Your Lordships ought to consider.

I did throw out in the Beginning of this Debate a Wish that the Declaratory Bill might be amended in such a Manner as to make the Repeal of the Bill agreeable to me.

It declares you have a Right which they say you have not—you

then declare their Resolutions to be null and void, which without your Declarations are so in Effect as being without foundation.

If a Bill passes which destroys the Land Marks of the Constitution it is without Remedy.

This was the Case when King Charles made the Parliament perpetual. It was the Case when the Parliament gave King James his Revenue for life. He then took the Dispensing Power of himself and could not be obliged to give it up.

May not the passing this Bill put us in a Situation of being dictated to by the Americans, who may think they have a Right to an Open Trade and Establishment of Manufactures. What then will become of us?

I have now satisfied my own Conscience and if the Measure is carried I shall give Every Assistance to it in my power.

Lord Camden [Camden]. Some Things which have dropt from the Noble Lord who spoke last make it necessary for me to rise in order to bring Your Lordships to what has been conceived to be the Point in Debate till the Noble Lord took up a New Ground—that the Colonies had disclaimed the Legislative Authority of Great Britain and that it was a Conflict between Great Britain and America which should be the Superior. If that was the real Question I should and so would Every Lord concur with the Noble Lord in his Sentiments on this Matter.

If therefore it should be proved that the Americans meant only to oppose the Law at present under Consideration, I should his Lordship would alter his Opinion.

The true Cause of the Discontent of the Americans has arose from the Rigour and Hardship of the Stamp Act. It stands upon a principle, that it is politic to call upon the Plantations to pay a perpetual Revenue and Tax in Aid of the Mother Country.

Now the true Connection between the Colonies and Great Britain is commercial.

The Statute of King Charles is introduced with a Recital which [is] very opposite to this Idea—reads Preamble.

This Preamble exactly points out the true State of Great Britain with respect to her Colonies.

If when the present Act was under Contemplation the Americans had thought it proper to apply for a Liberty to tax themselves you would have given it them.

Polybius's Description of the Arcadians being ill-taught Musick etc.^a Liberty has had the same Effects on the Americans. From this They have grown up to the Height they are and will still proceed to grow unless checkt in the growth.

From the 15 Car. 2 down to this Day there never was a Murmur against the Legislative Authority of Great Britain. What is it has changed their minds? No other Cause than the Grievances heapt upon them by the late Revenue Acts.

The Projector must have seen that Difficulties must attend the Experiment, but this was rather an Incentive than a Discouragement, and a Double Plan of Policy was to take place; 1st, to strip them of their purses, and then to tame their Spirits.

Mentions the Several Revenue Acts—and the Stamp Act which takes

^a Polybius, *Hist.*, IV. 20.

away trial by Jury and Establishes in its place the Flag of the Admiralty a Court where Witnesses are examined in private and their Judges and Officers paid out of the Condemnation Money. [It is] Very improper to think that the Evidence of the Governors, Custom Officers and Officers in the Army a sufficient proof of Every Thing they have thought proper to assert.

It is the Stamp Act and that only, whatever these people say, that has been the Ground of the present Confusion in America—take away that and you restore it to peace and Tranquillity; but drive them to Desperation and I will not answer for the Consequence. But if after repealing this Law they should still continue Refractory Force must be used.

Lord Townshend. [I] rise up on Account of a Fact which the Noble Lord mentioned, in hopes that it will induce the Noble Lord to be of same Opinion with myself. [He] reads Extracts out of the Resolutions of Massachusetts Bay after the passing the Act relating to Melasses, where they dispute the power of the Parliaments having Right to bind them by Laws without their Consent.

The Noble Lord [Camden] has given us an Arcadian Description. He has given us nothing but Arcadian Descriptions of America during the Course of this debate.

Lord Temple. [I] shall begin with speaking on the subject of the Stamp Act, the Principle of which has been submitted to for near a Century. As to the particular Parts which may be Exceptionable it is not now under Consideration.⁴⁷

⁴⁷ Cobbett (see above, p. 576) mentions that the Duke of Bedford spoke after Temple.

REVIEWS OF BOOKS

GENERAL BOOKS AND BOOKS OF ANCIENT HISTORY

The Mind of Primitive Man. By FRANZ BOAS. [A course of lectures delivered before the Lowell Institute, Boston, Mass., and the National University of Mexico, 1910-1911.] (New York: The Macmillan Company. 1911. Pp. x, 294.)

PROFESSOR BOAS bespeaks, in his closing words, "a greater tolerance of forms of civilization different from our own", and hopes that he may have helped to form a "conviction, that, as all races have contributed in the past to cultural progress in one way or another, so they will be capable of advancing the interests of mankind, if we are only willing to give them a fair opportunity". As this paragraph closes a chapter which contains a strong advocacy of the negro in the United States, it might appear that the book under review is a sort of special plea for the "lower" races. But this is not so; it combats a number of current views, but it has no programme. It is a scientific work, replete with fact and reason.

Dr. Boas is like George Catlin and others who have known several primitive peoples from protracted residence among them, and who return to reprove the current sentiment of contempt or misprision with which the less advanced races are viewed. Catlin insisted that the bad Indians were those who were made so by the social environment forced upon them through the irruption of the whites. Similarly, Boas refers our attitude toward primitive peoples in general to an insufficient realization of the power of social environment—upon them and upon ourselves. How the mode of thought, with us as with them, depends upon traditional materials, he makes very clear by a series of examples, which recall in some degree the masses of instances in Sumner's *Folkways*.

One very important piece of argumentation is that by which the author seems to strike at the vitals of the method of Tylor and others, in that he assaults the validity of the ideas about *series* and *parallelism* in social evolution. He believes that the comparison of "types of culture represented by primitive people and those conditions which prevailed among the ancestors of the present civilized peoples, at the dawn of history", presents analogues, and that these latter are supported by the evidence from survivals, but that "the evidence of archaeology does not support the complete generalization". Ethnic phenomena, he says, are not always due to the same causes; and he illustrates at some length from archaeology; "the sameness of ethnic phenomena is more superficial than complete, more apparent than real".

Probably no one, once past the early days of not too intelligent discipleship, would be disposed to take much issue with what is said; and the author emerges from his discussion, in any case, with a novel formulation of his faith, and one worth thinking about. "We recognize", he writes, "a peculiar tendency of diverse customs and beliefs to converge toward similar forms". It is difficult to see why the existence of a peculiar tendency toward parallelism does not form a sufficient basis for about all one cares to do along the line of Tylor and the school represented by him. One might agree to all that Professor Boas has to say about our uncertainty as to exact origins, admit that we have paid too little attention to individual variations, and yet hold with Tylor to a belief in series and parallelism, phenomena due "to the unity of the human mind and the consequent similar response to outer and inner stimuli". It is impossible to go into an extended discussion of this matter here, and it is also unnecessary; for it appears that the author, though he lays more at the door of acculturation than some would, is effective in correcting and refining the idea of parallelism rather than in disposing of it.

No person interested in primitive life can afford to leave unread what is said, out of copious and well-digested experience, about the misinterpretations of the mental traits of primitive man. "I will say right here that the traveller or student measures the fickleness of the people by the importance which he attributes to the actions or purposes in which they do not persevere, and he weighs the impulse for outbursts of passion by his standard." That is, he is always reading into the savage mind what is in his own as a result of the life he has led in an environment which has set his values for him. The tendency of the author to get down to facts and to avoid metaphysical constructions is one which calls for praise and should evoke imitation.

It is hard to pass over many a page of admirable exposition—admirable, whether disputable or not—in this little book; but it is absolutely necessary to refer to the startling matter, original with the author, relative to the influence of environment upon a race character commonly assumed to be among the most stable—the cranial index. The shape of the skull turns out, according to the measurements given by Professor Boas, to be readily, though inexplicably, modifiable by transfer of a race from Europe to America. The normal index of East European Hebrews, for example, is about 83; but for the children born immediately after the immigration of their parents, it drops to about 82; and in the second generation reaches 79. The shape of the face suffers a concomitant change. "In other words, the effect of American environment makes itself felt immediately, and increases slowly with the increase of time elapsed between the immigration of the parents and the birth of the child."

It is to be hoped that these results will speedily be tested by other observers, for it is needless to say that the establishment of this plasticity

of form, apparently entirely unexpected by the investigator, means the general discrediting of craniology, so far, at least, as the cephalic index is concerned. Somatic anthropologists who make some specialty of craniometry cannot but have an absorbing interest in Professor Boas's results; for his high reputation insures the scrupulousness of his procedure.

The Mind of Primitive Man is a good book to read—clear and forceful, simple in language, attractive in style, and devoid of metaphysical wanderings.

ALBERT G. KELLER.

Hellenistic Athens: an Historical Essay. By WILLIAM SCOTT FERGUSON, Assistant Professor of History, Harvard College. (New York: The Macmillan Company. 1911. Pp. xviii, 487.)

IN ten chapters Professor Ferguson "has aimed to trace the general movement of Athenian affairs from the death of Alexander the Great in 323 B.C. to the sack of Athens by Sulla in 86 B.C." Athens had the most "eventful and individual experience" of any of the small city-states which were gradually transformed, during this period of a little more than two centuries, "into municipalities of large territorial empires". Hence this special study of her history during the transformation. The historians of Hellenism—Thirlwall, Droysen, Holm, Niese, Beloch, Susemihl, Mahaffy, and others—have dealt with Athens only incidentally, from the standpoint of the great organizing powers of the period; or with special reference to particular phases of her development. A connected history of Athens during the Hellenistic period, treating with due perspective her political, social, economic, and intellectual life, has hitherto been lacking.

The book by which Professor Ferguson supplies this lack is the outcome of thirteen years' intensive study of the Hellenistic period, and of as many learned and able papers published during this time in various places (p. 470). These papers have given him high rank among scholars of America and Europe as chronologist and epigraphist, certainly the two most essential requisites in one who would reconstruct for himself, in order to portray to others, the career of Hellenistic Athens. For the literary tradition of the Hellenistic period is provokingly fragmentary, and it is only from its inscriptions "that we obtain our knowledge of the institutions of public and social life, of the families and persons influential at particular epochs, of the religious and economic currents—in fact, of the entire inner life of the people" (p. 468). From the standpoint of chronologists and epigraphists or students of papyri—and to the latter we now owe extensive fragments of five comedies of Menander which must hereafter serve as a basis for the proper treatment of historical material found in the New Comedy—Professor Ferguson's book will leave little if anything to be desired. Particularly in what we

may call the sociologic parts of chapters III. and IX., entitled *The Régime of Demetrius of Phalerum*, and *Athens and Delos* respectively, is newly published and even still unpublished epigraphical material served up with almost bewildering profusion.

In spite of its scientific precision, and perhaps because of the unstinted wealth of new and interesting detail which it incorporates, the book is not an easy one to read. It cannot have been an easy one to write. There are long stretches of dullness in the career of Hellenistic Athens which no literary skill can make anything but dull in the portrayal, if the portrayal is a true one. Possibly Professor Ferguson would say to us, his grateful readers, what Mommsen said to the readers of the fifth volume of his *History of Rome*: "Mit Entsagung ist djes Buch geschrieben und mit Entsagung möchte es gelesen sein." Certain it is that parts of *Hellenistic Athens* must be read, if read at all, "mit Entsagung". And yet there are glowing pages, where the subject-matter glows. And nothing of vigor and clarity is lacking in the fourth chapter, entitled *The Crushing of Athens between Macedon and Egypt*. The picture of Athenian culture while Athens, under a government of moderates which would have won the approval of Thucydides, son of Olorus, and Theramenes, son of Hagnon, could safely coquet with Antigonus Gonatas and Ptolemy Philadelphus, is full of a tender sadness. "The universal", in sculpture, "was still potent to guide the chisel towards something with which all mankind could have sympathy, while the individual or personal came to lend its infinite variety, its co-efficient of historic interest, to the creations of the imagination". And even after the commercial importance of Athens had disappeared with her "owls", and the Muses had gone forth not from the house of the aged Philemon alone, "but from the city in which they had made their home for over two hundred years", there was still residual culture enough in the place to bring from Heracleides the Critic, in the last quarter of the third century B.C., the assurance that "Athens surpasses other cities in all that makes for the enjoyment and betterment of life, by as much as other cities surpass the country". This residual culture, too, that of the age of Eurycleides, inspires Professor Ferguson to write a spirited and noble chapter (chapter VI.).

A more plentiful use of dates and sub-titles, and perhaps the insertion of these in the pages of the text as marginal insets, would doubtless remove much of the difficulty which even the professional reader will have in using the book with ease and pleasure. The printing is exceptionally correct and good. Of actual misprints, very few have been noticed: "Cadmia", page 14; "to-day", for to say, page 22; "Gonatus" for Gonatas, twice on page 115. Trifling inconsistencies, like "waggon", page 77, but "wagons", page 92; "Lycurgus' son", page 102, but "Antigonus's position", page 191, will doubtless disappear in subsequent editions. It is hard to see why "deme", page 96 and *passim*, "acme",

page 293, should have italics, while "ephebes", page 353 and *passim*, does not. The word "Atticans" should have its explanation at page 227, where it first occurs, rather than at page 262. And possibly European readers may be at some loss to understand the meaning of "the collapse of Brahminism in Athens" (p. 311).

B. PERRIN.

The Topography and Monuments of Ancient Rome. By SAMUEL BALL PLATNER, Western Reserve University. Second edition, revised and enlarged. (Boston: Allyn and Bacon. 1911. Pp. xiv, 538.)

THOUGH only seven years have elapsed since the first edition of this handbook appeared, the need of a revision has long been felt by students of Roman topography. For, notwithstanding the fact that the most important excavations of the last twenty years were practically completed in 1904, their results were not yet fully reported and carefully examined in all their bearings. In the meantime much fruitful work has been done, and the progress of knowledge has been unusually rapid. Of this progress Professor Platner has been able to take full advantage, especially on account of the fact that for several months during which his book was in press he was in Rome and had ample opportunity to verify his conclusions in the presence of the monuments themselves. These circumstances have combined to place the new volume on a far higher plane than its predecessor in point of scientific accuracy and usefulness. In fact, it is without doubt the best guide to the topography and monuments of ancient Rome now available in English.

The author's familiarity with recent literature is seen on almost every page. For example, on page 44 ff., he gives the theory of the origin of the city recently advanced by Kornemann, Pinza, Carter, and others, though he still regards it as less probable than the traditional view which has prevailed since Varro. His discussion of the earliest remains on the Palatine (pp. 110, 131) is practically new, and his account of the Servian wall is now in harmony with the latest research. On page 142 he is inclined to accept Pinza's recent theory with regard to the site of the temple of Apollo near the west corner of the Palatine, and his mention of three doors in the front of the Basilica Aemilia (p. 196) shows recent study of the ruins themselves, inasmuch as no report of the latest excavations on that site has yet been published.

In some minor points, however, the book is still open to criticism. On page 64 there is inaccuracy in the statement about "three famous inscriptions which are built into the wall over" gates of the Aurelian wall, for only the one over the Porta Tiburtina is *in situ*, and that which was originally over the Porta Portuensis disappeared centuries ago. In his description of the round temple of the Forum Boarium on page 401,

the author might have mentioned the fact that one of the twenty columns of the peristyle is missing, and to his list of *horrea* named after persons on page 418, he might have added the *Horrea Faeniana*, which I brought to light in the *American Journal of Philology* (XXX. 159). Here and there, also, the bibliographies leave something to be desired, a lack which is doubtless due in large measure to the slowness of the processes of publication. For example, on page 72, note 2, Hülsen's recent article on the fire of Nero (*A. J. A.*, 1909, p. 45) and Profumo's reply (*Riv. St. Ant.*, 1909, p. 3 ff.) are missing; on page xiii, Hülsen-Carter, *The Roman Forum*, is given in the first edition (1906), though the second appears on page 170; on page 248 a reference to Stein's report in *Bursian*, 1909, page 162, would have been helpful; and on page 362, note 1, the important monographs of Gardthausen (1908) and Studniczka (1909) should have been mentioned. It is unfortunate, too, that Graffunder's thoroughgoing researches on the age of the Servian wall (*Klio*, 1911, pp. 83-123), which were certainly known to the author (p. 116, note 2), were printed too late to be included. These, however, are but slight faults in a work of such extent, and their mention should not be allowed to obscure the fact that Professor Platner has given us a book of the highest value, a book which on the whole adequately represents the present state of knowledge in the field of Roman topography.

HARRY LANGFORD WILSON.

BOOKS OF MEDIEVAL AND MODERN EUROPEAN HISTORY

The Cambridge Medieval History. Planned by J. B. BURY, M.A., Regius Professor of Modern History. Edited by H. M. GWATKIN, M.A., and J. P. WHITNEY, B.D. Volume I. *The Christian Roman Empire and the Foundation of the Teutonic Kingdoms*. (New York: The Macmillan Company. 1911. Pp. xxii, 754.)

The Cambridge Medieval History is very like its predecessor, the *Cambridge Modern History*. One notable improvement has been adopted, the publication with each volume of a series of illustrative maps. Otherwise, as in the earlier work, there is a group of chapters on a definable portion of the larger field, by various writers; following the text, a series of bibliographies, according to chapters—selective bibliographies but including as a rule little or no comment on the matter listed; next, a chronological table of leading events; then an index—which promises to be somewhat fuller than in the *Modern History*.

To the present volume—the first of eight projected—twenty different scholars have contributed more than as many chapters. The result is necessarily a sort of historical mosaic; however, a mosaic planned and constructed to fill a certain place. The work is intended, say its editors, "partly for the general reader, as a clear and, as far as possible, inter-

esting narrative; partly for the student, as a summary of ascertained facts . . . partly as a book of reference, containing all that can reasonably be required in a comprehensive work of general history". So much for the audience in view. Who should occupy the stage? Special students in the various subjects, engaged to tell, not with an apparatus of notes such as the investigator would need and demand, but simply out of the fullness of their own knowledge, what they may say trustworthily as acquired fact; thus giving, as Lord Acton expressed it, "history as each of the several parts is known to the man who knows it best".

It would appear that the audience in Britain which wishes to be addressed on history in this way is very considerable. Its members may hardly be said to be averse to presentations in literary style, nor exactly to be opposed to notes. Only, they entertain no special care for the investigator's apparatus, and they desire primarily the facts, acquired knowledge, intelligibly—but not necessarily artistically—set forth. Is there not a perceptible audience of this sort on our side of the Atlantic too? Should we be the worse off if it were larger? In any case here is a work which seems to be aimed at folk of such type. Shall we find fault with it for not being something different, or take it as it is and see how or from what portions of it we can likely profit most?

To realize the aims of the work has obviously been the problem, in the last resort, of those contributing the several chapters. That they have succeeded only in varying degrees goes almost without saying. Probably some of them scarcely perceived just what was wanted. In any event not all of them might surely choose the best way of doing their part, and even if they all agreed as to the best way their skill in following it out must likely prove diverse. Classifying broadly, some of the contributors to the present volume have proceeded as if they were to tell, not primarily of a subject but what the documents available say on the subject, or on this or that question about it. Others have kept well to the subject, but have treated it after the manner merely of a summary of data, human events with the human quite omitted. Others again—and to them let us accord the laurel—have kept to the subject, have set forth the facts upon it, and besides have arisen to varying heights—some to real summits—in comment on the facts.

In what proportion do these several degrees of attainment appear in the present volume? Of chapters I.-III., which relate to the later Empire, two are throughout ably and helpfully done: that in which Professor Gwatkin sets forth the rise of Constantine, his reunion of the Empire, his conversion to Christianity, the political side of the Nicene Council, and the foundation of Constantinople; and that on the Reorganization of the Empire, in which Professor J. S. Reid gives an account of the reforms of Diocletian and Constantine and describes the features which Roman administration wore for centuries after. The third—on Constantine's Successors to Jovian: and the Struggle with Persia, by Mr. Norman H. Baynes—leans more toward the character of a summary;

but it has a human touch here and there, findable joints, and some especially good pages on Julian. The next three chapters treat of the Church in the time of the Empire: *The Triumph of Christianity*, by Principal Lindsay; *Arianism*, by Professor Gwatkin; *The Organization of the Church*, by Mr. C. H. Turner. All three are well done, so well that they belong easily in the first class. No one of them is to be read while running—though Mr. Lindsay's comes nearest to that—but each will repay him who is thoughtful and takes time.

With the third block of chapters, VII.-XV., on the Teutons and other invaders of the Empire, the long battle against them and their ultimate victory—the case is not so generally favorable. Dr. Martin Bang and Dr. M. Manitius carry the story of the Teutons, the one to 378, the other from 378 to 412. Both furnish useful material for reference, but do extremely little else. Sandwiched between their accounts is a survey of ground largely the same, but from the Roman side, *The Dynasty of Valentinian and Theodosius the Great*, by Mr. Baynes: in sequence to his preceding chapter but far more of the order of summary. On the various invading peoples from the early fifth century, Ludwig Schmidt, a specially distinguished scholar in the field, writes of the Visigoths in Gaul, of the Sueves, Alans, and Vandals in Spain, and the Vandal Dominion in Africa, and of Attila. He gives much assured information, but unfortunately leaves it mostly juiceless. Mr. F. G. M. Beck presents, not the subject of the Teutonic conquest of Britain, but the evidence on several questions concerning it. What he says should at least prove useful in controlling the traditional dicta on the matter. M. Maurice Dumoulin treats *The Kingdom of Italy under Odovacar and Theodoric*, but, alas! with regard not so much to the subject as to what the documents say.

Happily some parts of this block of the work promise wider usefulness. Such are the few pages in which M. Christian Pfister gives a lucid account of the Franks before Clovis—showing what is possible even with such a subject. Such also is the half-chapter—readable as well as able—in which Professor Haverfield treats of Roman Britain. Of special promise is Dr. T. Peisker's *The Asiatic Background*, an account of Central Asia and the Altaian mounted nomads, written by a master of the subject and packed with fresh and informing matter. As the editors say, there is not much history in it; but it should light up for many a student much of the history of Europe. In a better known field but on a higher plane of treatment is Italy and the West, 410-476, by Mr. Ernest Barker. This chapter is good enough—save possibly in some of its later pages—to make one all but forget the shortcomings of most of its fellows in the same block.

The last half-dozen chapters, XVI.-XXI., treat of various subjects, and again, variously well. *The Eastern Provinces from Arcadius to Anastasius*, by Mr. E. W. Brooks, is in the main a prosaic record of a time not altogether prosaic. *Thoughts and Ideas of the Period*, by Mr. H. F.

Stewart, has at least some pages that are well done. Mr. Lethaby's *Early Christian Art* is little more than a collection of data. All in the best class are Miss Gardner's *Religious Disunion in the Fifth Century*—setting out well the main lines of controversy and its fruits for the Empire; Dom E. C. Butler's *Monasticism*—tracing lucidly and sympathetically the growth of monasticism and its main forms through the establishment of the Benedictine rule; and Professor Vinogradoff's *Social and Economic Conditions in the Roman Empire*—a little technical and heavy on the formation of the colonate, but a thoughtful and helpful general view.

Thus fully half of this volume may well challenge the interest of serious readers upon the early Middle Ages. Doubtless many of us could wish the work were of a different sort, but there is ample reason for gratefully accepting it as it is.

E. W. Dow.

Naval Strategy Compared and Contrasted with the Principles and Practice of Military Operations on Land. Lectures delivered at U. S. War College, Newport, R. I., between the years 1887 and 1911, by Captain A. T. MAHAN, D.C.L., LL.D., United States Navy. (Boston: Little, Brown, and Company, 1911. Pp. xxii, 475.)

BELIEVING that in the study of history would be found ample illustration of the principles of sound naval strategy, Captain Mahan first wrote a series of lectures which were afterwards published under the title of *The Influence of Sea Power upon History, 1660-1783*. It was upon this foundation that he then built up the formulation of principles of naval strategy contained in the original lectures which are here presented in their revised and expanded form.

He says that experience is history in the making but experience is quickly forgotten unless recorded. History on the other hand is experience recorded and so these lectures are simply the announcement of principles and illustrations drawn from history in their support.

Four chapters are devoted to Historical Illustrations and Comments on the importance and value of (1) concentration, whether it be of a force on land or on the sea; and, as a means thereto, (2) of a central line or position, (3) of interior lines of movement which such a position presents, and (4) of the bearing of communications upon military tenure and success. These are followed by chapters on the Foundations and Principles of strategy and the application of these principles to the Caribbean and the Gulf of Mexico.

The whole volume is practically devoted to an exposition of the great principle of concentration and there are but few pages in the book that do not bring forward some illustration drawn from history that has a bearing on this principle.

Concentration, however, is not necessarily a literal collection of the entire force. "The essential underlying idea is that of mutual support", and, he says, "This consideration, in my judgment, absolutely forbids the division of the present fleet of the United States between the two principal coasts". The halves would then be beyond supporting distance. Russia divided its fleet in the late war, between Port Arthur and the Baltic, which permitted Japan, whose fleet was inferior to Russia's whole, to defeat it in detail.

In discussing the protection afforded by a concentrated superior fleet he states that, "So long as the British fleet can maintain and assert superiority in the North Sea and around the British Islands, the entire Imperial system stands secure." This does not mean that an inferior navy may not by successful evasion and subsequent surprise seize positions in distant parts of the world, as the French did when in 1756 they captured Minorca. "The impulse to try to protect every point can only be overcome by sound principles." At the time of our hostilities with Spain, the Navy Department was besieged with applications for local protection. The detention of the Flying Squadron on the North Atlantic coast which could have been better employed in blockade and dispatch duty may be considered a concession to this alarm—but he says, "In a military sense, as affecting ultimate national safety and victory, it will not matter if one coast suffer raid, blockade, bombardment, or capture, if meanwhile the enemy's fleet be destroyed—with such destruction every other loss is retrievable, *provided* the country, which is not willing to make military preparation beforehand, proves willing to endure the burden of such exertions as may be necessary to reduce to submission an invader whose communications and retreat are both cut off."

Regarding the influence of political questions on naval strategy, while he says they "are primarily the concern of statesmen" he also declares that they are also among the data which the strategist, naval as well as land, has to consider, because they are among the elements which determine the constitution and size of the fleet and the selection of naval bases.

There is one terse sentence that he gives that is illustrative of concentration of effort, and deserves more than anything else to be remembered by every man and officer. "A fleet is half beaten when it goes into battle with one eye upon something else than fighting."

Portolan Charts: their Origin and Characteristics, with a Descriptive List of those belonging to the Hispanic Society of America. By EDWARD LUTHER STEVENSON, Ph.D. (New York: The Hispanic Society. 1911. Pp. vii, 76.)

THE monograph by Professor Stevenson describes thirty-two portolan charts and atlases in the collection of the Hispanic Society of America,

dating from the early fifteenth century to the year 1650. It is illustrated by fifteen reproductions on a small scale, which give only a general idea of the appearance of such maps. The author, who is our best authority on early cartography, has preceded the full description of each chart by a short but interesting notice of the portolani in general. The study of cartography in the early period of map-making is unfortunately in this country very amateurish. Outside of the excellent work done by Professor Stevenson there is nothing published that is of any consequence. The scarcity of material to work upon may account for this neglect. It is to be hoped that this monograph may create an interest in maps both ancient and modern that in time may bring forth results on a par with the research of European scholars.

There are but two important works on the subject of the portolani, namely, Nordenskiöld's *Periplus*, and Kretschmer's *Die Italienischen Portolane*. All other works are merely incidental to the subject, or are special monographs on the various authors. The bibliography attached to this work could have been extended in the latter class to some extent. Bevilacqua, Canova, and Errera have written monographs on Ottomano Freducci; Staglieno on Vesconte de Maggiolo; Errera on Pietro Roselli; Winsor, Wieser, Kretschmer, Magnaghi, Malavialle, Gaffarel, and others, on Battista Agnese; Errera and Enrile on the Olives. All these cartographers have some of their maps described in this work.

The collection is numerically the largest one to be found in any private library. The Library of Congress, with its immense collection, has only three of these charts, the earliest by Cavallini being dated 1640. The earliest chart in the Hispanic Society collection is by Petrus Roselli, of 1468; the next in chronology is that of Vesconte de Maggiolo, 1512. The earliest portolano chart known with date is that of Petrus Vesconte of 1311, the "Carte Pisane" having only a supposed date. These charts do not number over five hundred previous to 1600, and are mostly found in the national libraries and museums of Europe.

The value of a collection of these charts is more or less dependent on their antiquity. The subject-matter, which is principally the Mediterranean and Black seas, has little interest to the American student outside of its importance in the development of the early hydrographical charts. Notwithstanding their number, these first charts seem to have a general prototype, which was corrected and added to until almost perfected. With their beautiful coloring, artistic drawing, and the antique make-up, a collection such as the one here described is of unusual interest.

Nansen in his recent work entitled *In Northern Mists* does not differentiate between the portolano charts and the compass charts. He says: "The remarkable thing is that the first known compass-charts, of the beginning of the fourteenth century, were already of so perfect a form that there was little to add to or improve on them in later time."

Beazley, in an article published in *Nature*, December 15, 1904, calls these portolano charts "the first true maps", and says: "Never better

than in these long-neglected charts does the history of civilization illustrate man's change from empirical to scientific, from traditional book-learning to the investigation of nature."

While it is most difficult to attach dates to these undated charts, Professor Stevenson would have added more value to his description if more positive statements could have been made, as, that a chart was after 1550, or 1560, early sixteenth century, or second half of sixteenth century. An authority on these maps, with some research, could no doubt greatly assist the student by more definite data.

The Hispanic Society can be congratulated on the attractive style in which this work has been introduced to the public.

P. LEE PHILLIPS.

Martin Luther: the Man and his Work. By ARTHUR CUSHMAN MCGIFFERT. (New York: The Century Company. 1911. Pp. xi, 397.)

THIS is a popular biography of Martin Luther written, in its original form, for the pages of the *Century Magazine*. It is strictly speaking a biography and not a *Life and Times of Martin Luther*. The author keeps strictly within the limits of his sub-title *The Man and his Work*. He wrote for the intelligent reader trained neither in history nor theology and he has not encumbered his pages with the reasons for his conclusions, nor darkened his statements of points of controversy by the use of terms remote from common language. But the discerning reader, even though he were ignorant of the name of the writer, would recognize the work of one who, knowing the literature of his subject, had skilfully weighed divergent opinions to produce a simple narrative with learned foundations not protruded on the view.

The book is enriched and made more enjoyable by sixty well-chosen full-page illustrations; thirty authentic portraits of contemporaries, friends or foes, six portraits of Luther himself, and the rest photographs of buildings or places.

The secret of the success of this book can be read in the words of the dedication to the author's wife, "whose insight and human sympathies have helped me to interpret one of the most human of the world's great men". It is because the writer sees this "vein of rich humanity" in Luther that he is not afraid to show him as he was, with all his blatant faults as clear as his great qualities. Mr. McGiffert has too much reverence for his hero to try to conceal anything about him.

Mr. McGiffert is free from the modern pretense of trying to write as if he were a typewriting machine endowed with reasoning faculties, and he has the first qualification for the task of writing in the field of church history—or indeed in the field of sixteenth-century history—a lack of zeal for the defense of any particular ecclesiastical system or organization. Therefore he has given us a sympathetic but not a

partizan life of Luther. No one who did not sympathize with the Christian point of view could understand the fundamental traits of Luther's character as the author does, but no Roman Catholic who knew this book was written by a Protestant, could find in it anything unfair or apt to hurt his feelings.

The reviewer would have liked the book even better if an occasional tag of comment—two or three lines intended to suggest to the reader what he ought to think about the facts just narrated—had been stricken out in the proof-reading, but these little tags of comment, though superfluous, are generally judicious. A good many people might write of Luther's conduct during the Peasants' Revolt out of a mood less inclined to excuse passionate words sure to increase bloodshed than the author; but that is a matter of judgment. On one point, however, there is, to the reviewer's mind, a little unconscious special pleading: in regard to the bigamy of the Landgrave of Hesse. If Philip "duped" (p. 367) Luther, Luther was willing to play a worse trick on the woman in the case. He fell before the temptation Satan put before Christ when he offered Him the kingdoms of the world—the temptation to help a sacred cause to prevail by an act of evil. The stain on Luther's character, of course, lies not in the fact that he once honestly consented to bigamy in a particular instance, but that he lied about it and was willing to deceive a woman who trusted in his judgment.

The style is strong and pleasant; a slight tendency to "preciousness" which shows in the first three chapters fortunately disappears in the rest of the volume.

Every reader will like the book and the trained historian will justify his liking. It is especially good because it shows the continuous play of Luther's humor, for no great man had that softening gift in larger measure. It makes plain Luther's superhuman energy, his limitless courage, the depth and strength of his religious feeling. The reviewer does not know in any language a better and sounder small popular sketch of that man of titanic mold and coarse fibre. To give to those who read only English such a new opportunity to know one of the three greatest men whose interest has centred on the teaching of Christ, is to do a great service for history; for if there ever was a time when those who can interpret the results of historical scholarship to the world were needed, it is now.

PAUL VAN DYKE.

La Révolution. Par LOUIS MADELIN. [L'Histoire de France racontée à Tous.] (Paris: Hachette et Cie. 1911. Pp. vii, 578.)

THIS volume on the Revolution was written for the general reader and is probably the best volume of the kind extant. It covers the period from 1789—the elections to the States General—to 1799, the establishment of the Consulate. These limits were set for it by the fact that it

formed one volume of a series, the preceding volume going to 1789 and the succeeding volume dealing with the Empire. Within these limits, the matter is well distributed, the proportions good, and the parts well bound together. A recent review characterizes the book as "très spirituel" and adds that "les gens du monde, auquel il semble surtout destiné, le liront sans fatigue et avec profit". "Spirituel" it certainly is, at times, it seemed to me, "trop spirituel", losing sight of the fact that the historian should always take his work seriously and that his exposition falls short of the best attainable, if it lacks dignity. It is a "readable" book, but all parts of it will not be "read with profit". Not only does one encounter numerous incorrect statements of details, but the *ensembles* not infrequently fail to reproduce correctly the course of events. There is no cause for surprise in this. The history of the Revolution must still be constructed largely from the sources, very few reliable monographs having yet been written upon it. The latter half of M. Madelin's volume is better than the first half, for there he is on ground made more familiar by his volume on Fouché and his study of the diplomatic relations between France and Pius VI. He has depended largely upon the work of others—not wholly as he states in his preface—and not infrequently he has misplaced his confidence. The confidence in the critical soundness of his work is not increased by his frank confession that his admiration for Taine—after Aulard's destructive criticism—"reste entière". So far as he does use sources, he prefers letters to memoirs. The brief bibliographies at the close of each chapter contain good material, although there are some rather surprising omissions and the form is very bad. It is not to be expected that in a volume for general readers German works—in German—would find a place, but it is to be expected that the historian has read them. Such assumption would not, I am inclined to believe, be true in the case of M. Madelin. Had he read, for example, the monographs of Clapham and Glagau on the origin of the war of 1792, the narrative would have approached much nearer to a true representation of the causes of that war. His treatment of the topic is extremely superficial and cannot possibly convey a correct idea of the situation to the uninitiated. His whole treatment of the period of the Constituent Assembly is unsatisfactory because of his failure to lay due stress upon the work of the reactionary forces. Even when he speaks source in hand, it is well to read the source before accepting his interpretation of it. One of the most astonishing illustrations of his inaccuracy is found (p. 62) in his statement concerning the formation of the citizen guard in Paris in July 1789. "Dès le 25 juin", he writes, "les électeurs de l'Hôtel de Ville avaient décidé de former une milice bourgeoise, la future garde nationale, non point du tout, comme l'ont cru, cent ans, tant d'historiens et la foule de leurs lecteurs, contre la Cour, mais contre les brigands [the italics are M. Madelin's] que—les procès-verbaux des électeurs en font foi—on redoutait avant tout." That would seem to be trustworthy, but what

does the *procès-verbal* show? In the first place that nothing of the kind was passed on June 25 and in the second place that the motion made to form a citizen guard proposed simply that the National Assembly be asked to sanction the wish of the electors of Paris "pour rétablir la Garde Bourgeoise" and gave no reason whatever for such action. Other evidence, however, shows conclusively that Paris was arming itself against the anticipated royal *coup d'état*. M. Madelin had Sorel for a master, so he tells us. He inherits the defect of his master; his text is more "spirituel" than exact.

FRED MORROW FLING.

Napoléon I^{er} et le Monopole Universitaire. Par A. AULARD, Professeur à la Faculté des Lettres de l'Université de Paris. (Paris: Armand Colin. 1911. Pp. ix, 385.)

SOME of the expressions in Professor Aulard's preface might arouse the suspicion that this volume, if not suggested by existing problems in France, has probably been at least hastened thereby. Not that it is marked by *parti pris*, for indeed it is notably moderate and judicious. But it is for the most part in advance of M. Aulard's profound and steadily progressing study of the great period of reconstruction, and the author himself would probably be the first to admit (as in many places indeed he does admit) that research in the field has not yet proceeded far enough to make possible a conclusive treatment especially in a volume of this brevity. It is a fair (and discouraging) indication of the condition of the study of Napoleonic institutions that one is led to this conclusion in a field that has probably been more debated than any other except the closely allied one of the Church. And as the explanation lies no doubt in this significant word *debated*, it should be taken as an encouraging circumstance that though M. Aulard has in the past been found not infrequently in the ranks of these debaters, this his latest study shows but slight trace of this attitude.

The author is obliged by the brevity of his work to confine himself to a rather insufficient presentation of the conditions which the Napoleonic educational establishments were designed to amend. The Napoleonic system itself is studied with care, though it would appear (from material in the possession of the reviewer) that on some points (as statistics) a closer examination of the archives would enable more definite statements to be made. So far as general conclusions are presented they may be said to be favorable to the Napoleonic educational policy; M. Aulard announces a revision of his earlier conviction that that policy was reactionary, and he dwells with considerable emphasis on the position that in point of fact there was no "monopole universitaire", since the determination to really apply one was reached by Napoleon only in 1811 and since the application of it was then frustrated by Fontanes. This latter position (as to Fontanes) is of course not

new, as Fontanes and his friends made it their boast during the Restoration; the reviewer will not commit himself on a point he regards as still unsettled, and will confine himself to a regret that M. Aulard's conclusion should rest so largely on the by no means impeccable testimony of Ambroise Rendu.

A more important question is raised by M. Aulard's interpretation of Napoleon's attitude in regard to the participation of the Church in secular education—a question which one would infer from the author's preface he has had peculiarly in mind. The view taken here is that Napoleon intended to employ and did employ the Church in his educational system, and that he did so (turning over religious instruction in the *lycées* to ecclesiastics, and allowing the Church to have its own preparatory schools, classed and supervised as state secondary schools), because he wanted to be in a position to watch and control the Church in the field of education. On the whole this interpretation is not quite satisfying, mainly because it is incomplete. As the policy of the preceding régime is represented by M. Aulard as that of fighting the Church through the school, we feel that there needs first to be discussed the question as to whether Napoleon was in principle favorable to ecclesiastical participation in secular education. His actual measures in favor of such participation do not settle the point; for as the Church had been re-established and thus placed in a position where it would inevitably busy itself more or less with education, and as Napoleon was no doubt convinced that the great majority of parents wanted educational work done by or participated in by the clergy, the question might well have reduced itself to one of expediency. Further, M. Aulard is not sufficiently clear as to whether, assuming the Napoleonic policy to have been simply one of expediency, this policy may not have proceeded with other aims than that of guarding against the inevitable consequences of the existence of the Church. May we not regard it as aiming also to use the Church, through its educational as well as through its religious work, in the fortifying of the new régime? Or may we not conclude that possibly the main thought was to commend the new educational system to the ordinary bourgeois mind by exhibiting the approval and participation of the Church? The first suggestion might indeed be regarded as covered by M. Aulard's assertion that Napoleon "s'intéressait à l'instruction publique comme à une 'source de pouvoir'" (the phrase is from Roederer, who however does not seem to state that Napoleon viewed the field of education *only* in that light). With respect to the other however, M. Aulard's conclusions might I think be supplemented by the idea that Napoleon had as an additional (if not as an only) motive the hope of assuring the success of the new *lycées*. That is, we are not necessarily to suppose that Napoleon regarded the aid of the Church as essential or even as desir-

able in the work of the school, but as under the conditions highly advantageous in giving the school a fair chance to do its work.

VICTOR COFFIN.

Louis-Napoléon Bonaparte et le Ministère Odilon Barrot, 1849. Par ANDRÉ LEBEY. (Paris: Cornély et Cie. 1912. Pp. xii, 719.)

THE history of the Revolution of 1848 and of the Second Republic is being assiduously and profitably investigated at present by a group of scholars who have already produced a number of notable works on important phases or aspects of the period. The Société de l'Histoire de la Révolution de 1848 and its important review, founded a few years ago, serve usefully to promote these investigations. The Second Republic was a highly complex and incomplete experiment and it failed. The reasons for its failure are of interest and instruction to the supporters of the Third Republic which, having definitely established its political régime, is now attempting the solution of pressing social problems, raised but not solved by the Second Republic.

M. Lebey is already known as the author of an elaborate treatise on *Louis-Napoléon et la Révolution de 1848*. The present volume is a portly one, not much smaller than a volume of the *Cambridge Modern History*, and is concerned with the events of a single year, the life and achievements of the Barrot ministry which lasted, with an important change, from December 11, 1848, to October 31, 1849. The book is the result of extensive research and is of absorbing interest, though characterized by some strong judgments and theories which give one pause. The author threads his way through a very tortuous tangle and we follow, seeing clearly. There are eight spacious chapters: on the Agony of the Constituent Assembly, the Début of the Roman Expedition and the Death of the Constituent, on the Reconstruction of the Ministry with the addition of Tocqueville and his friends, a phase which has been vividly but not impartially described by Tocqueville himself in his *Souvenirs*, on the Insurrection of June 13, 1849, on the relations to each other of the President, the Assembly, and Europe, on the letter to Edgar Ney, on the defeat of the parties and of Parliament when Louis Napoleon dismissed his ministry and showed who was leader in France.

It is a detailed and graphic account of the extinction of a republic by those elected to serve the republic. It is of course impossible briefly to present the contents of over seven hundred pages, but this elaborate monograph will be welcome to all students of the period. It is the story of a *révolution manquée*, a veritable year of dupes. If ever men fished in troubled waters they were the President and the various parties in the year 1849.

M. Lebey shows the isolation of Louis Napoleon at the beginning of his presidency. Though borne to power by over five million votes, he knew no single important man who stood for his interests, he had no

friend whom he could properly make a minister. He stood alone, "an immense force in a perfect solitude". On the other hand the Barrot ministry was not primarily a council of advisers but was a board of proctors anxious to hold the President under the strictest surveillance and to teach him constantly the humbleness of his position. The parties in Parliament, in turn, did not give the ministry cordial support, but found it useful as a stop-gap until the restoration of the monarchy could be brought about. And it might have been brought about in 1849, as in 1873, had there been only one royal pretender, instead of two, a Legitimist and an Orleanist. There are, indeed, many striking analogies between the Second Republic and the Third in its earlier and critical years. "It was", says our author, "a republic with the appearance of a monarchy, yet without a monarch, and almost without republicans." The ministry and Parliament wished to make the republic a kind of posthumous July Monarchy. The ministerial programme resembled all the ministerial programmes of the reign of Louis Philippe. The great thought was always the complete destruction of the Revolution, the rapid restoration of "peace and order". It ignored social questions and set up the old familiar *politique des affaires*. We need not be surprised at the reactionary sentiments of the assemblies of 1848 and 1849 when we remember the Constituent of 1871-1875, whence emerged the Third Republic. The democracy, lacking definite self-consciousness in 1849, without leaders and beset with enemies, easily abandoned itself to Caesar. M. Lebey shows at length and in detail how Louis Napoleon gradually freed himself from his enemies and how his dismissal of the Barrot ministry was a double victory over ministers and Parliament and a long stride toward personal authority. By the events of 1848 and 1849 two powers only profited, the nephew of Napoleon and the Roman Catholic Church.

The author has given us an instructive and thoughtful book but he has not given us an index, and, let it be repeated wearily once more in the pages of this REVIEW, this is no venial sin. It is worse than a crime; it is a blunder.

CHARLES DOWNER HAZEN.

The Life of Spencer Compton, Eighth Duke of Devonshire. By BERNARD HOLLAND, C.B. In two volumes. (London, New York, Bombay, and Calcutta: Longmans, Green, and Company. 1911. Pp. xi, 494; vii, 440.)

THE history of England during the last half-century is being rapidly written in a series of biographies of eminent politicians most of whom have left in their letters abundant materials for understanding the relations which existed between the leaders of the great parties and the motives by which they were, or supposed themselves to be, directed in their public action. Similar biographies have, in England as here, long

furnished data all the more valuable in that they represent not what men thought afterwards about their own conduct, but what they wrote or said to one another at the time. What is remarkable in this series of the last fifteen or twenty years is the fact that many of the lives have been published very soon after their subjects had quitted the scene, and that they include not only private letters sometimes written to persons still living, but also confidential Cabinet memoranda, a class of documents which English usage had heretofore held it necessary to keep secret until the dust of many years should have gathered on them. Biographies (some of them autobiographies) of Lord Granville, Lord Selborne, Mr. W. E. Forster, Mr. Parnell, Mr. Gladstone, the Duke of Argyll, Lord Randolph Churchill, Mr. Goschen, Sir S. Northcote, and others have appeared in swift succession. Other biographies of Mr. Bright, Lord Salisbury, Lord Spencer, and Sir William Harcourt may be soon expected. In these there lies a mass of material for the political history of a very stirring and changeful time such as has seldom been at the disposal of students for any other period of equal length in English annals. It deserves to be noted that these books show how much more is needed to explain the causes of events than is contained in parliamentary debates, though the latter have for England an importance relatively greater than belongs to the reports of legislative proceedings in any other country.

The fact that biographies have thus become for England—and the same principle applies to the United States—sources of history no less important than other narratives of events strung upon some other thread than that of one man's career, imposes a responsibility upon the biographer. As he is dealing with historical sources, he must become something more than a friend or admirer setting forth the deeds of his hero. He is really assuming the responsibilities of an historian and is bound to the same sort of detachment and impartiality as befits the writer of history. It is his duty not only to set out letters and other documents fairly and honestly, without suppressions or garblings, but to avoid any such presentation of the events they relate to as will prejudice the reader's mind and convey a partial and imperfect view of the facts. The chief merit of the so-called "scientific school" of history is that it sets itself to ascertain and present events just as they were, and leaves the reader to form his own judgment of men, their characters, their motives, and their conduct, from the facts. Many histories have been written by partizans, and some of these still continue to be read in respect of their literary merits. But so far as they are partizan they are vicious. They want one of the first essentials of good historical writing, and command little confidence. Even if they are not guilty of suppression, we can never trust them as we trust the book written in a detached spirit, with no aim but that of presenting the truth. When comments are constantly introduced placing the facts in a particular light, dwelling on one side of the case and ignoring the other, even the

events and the documents, however fully set out, may be so colored by the atmosphere with which the writer suffuses them as to become misleading. The practised student, who soon detects the bias of an author, and has other sources of information at his command, will not be misled, for he will know how to discount political prepossessions. But the average reader may carry away wrong impressions, and be prevented, just as he is by a partizan history, from grasping the true nature of the situation with which statesmen had to deal and the motives by which they were influenced.

A biographer is perhaps under greater temptations than any one else who undertakes to treat of the past, because he is presumably friendly to the person he writes of. Thus he is tempted to seek to make the best case he can for his subject. Some latitude may accordingly be allowed him when he is found extenuating the faults or extolling the virtues of the hero. But he is bound to the same standard of fairness and justice to other persons, and to the same effort to see events generally in a dry light, as are incumbent on the historian.

In this biography this kind of latitude or indulgence to which we have referred has been much exceeded. If the writer has tried, as we must credit him with having tried, to present the general political situation in England during the Duke of Devonshire's lifetime in a fair and just light, his efforts have not been successful. The facts are all seen in the light of the author's present political views, so that the fruit is not merely partizanship but the unhistorical partizanship of thirty years later than the facts. There is an atmosphere of bias and prepossession all through the book. The bias may, as sometimes happens, be unconscious. Every now and then we come across a passage in which some little attempt is made to appreciate the attitude of those who did not agree with the Duke of Devonshire's views. But the general picture is so far from being fair or just that it becomes necessary to warn American readers against accepting the account of British political controversies here set forth. For English readers no such warning might be needed, because partizanship seems to be now so keen and bitter in that country that every reader is doubtless prepared for it in any book dealing with politics and makes allowance for it accordingly. However both in England and everywhere else the presence of such a marked party bias seriously reduces the value as a contribution to history of this otherwise well-executed work. Its defects are the stranger and the more regrettable because the Duke of Devonshire was not himself of a partizan temper, but appears in these pages as not only cool, just, and reasonable, but even considerate in his dealings with opponents.

As a mere piece of literature, the work deserves no small praise. It is well planned and well composed. Judgment has been shown in the allotment of space to the different periods of the Duke of Devonshire's career. Those periods in which he played a leading and really influential part are treated at full length, while the less important years are

passed lightly over. The style and manner show an experienced hand, and the only serious blemish, besides the regrettable party spirit to which we have referred, is the needless abundance of comment and disquisition. Many of the semi-philosophical speculations in which the author indulges are superfluous and otiose, and though they evidence a reflective mind and a considerable store of knowledge, they are often fanciful and sometimes incorrect. Upon this aspect of the book more might be said, but we are here concerned with it solely as a piece of history and may now pass from it to its subject. The picture which it presents of the Duke of Devonshire is a clear and consistent one, and seems to be also a just one. Nothing more is claimed for him personally than what the general opinion of his contemporaries (of both parties) allowed him, and what his letters and speeches here given prove him to have possessed.

He was a remarkable instance of the presence of great political ability in a mind almost destitute of other intellectual interests. At the University of Cambridge he came out high in the great mathematical examination of his year, but it would appear that he studied the subject only to please his father, who had himself taken high honors in mathematics, and he never returned to it in later life. For no other branch of science, nor for literature, nor for art, did he show the slightest taste. Even what are called "sports", except horse-racing, did not much interest him. In conversation he does not seem to have shone, for he was always slow, though always sensible.

There was observed in him another remarkable though less unusual phenomenon, the presence of a great argumentative power of speaking with a total absence of rhetorical gifts. Never were any speeches more free from embellishments. There were neither imaginative flights nor appeals to emotion. But there was always strong, clear, cogent reasoning. It would be hard to find better models of an effective statement of facts, and effectively put conclusions from facts, than are contained in two speeches in this volume from which copious extracts are given, the speech on the proposed withdrawal of British forces from Kandahar delivered in the House of Commons early in 1881 and that on the first reading of the Home Rule Bill in the House of Commons in April, 1886. In the first of these he was defending the policy of his department (which he had adopted after some hesitation), in the second he was criticizing the policy of Mr. Gladstone. Both rise to a very high level of statesmanlike wisdom and could hardly be surpassed for the force with which every point made is driven home. These speeches, and apparently all his best speeches, were made after he had carefully thought over the subject and prepared himself to deal with it. He was not a great debater, lacking that swiftness of mind which is needed to discern on the spur of the moment the weak point of an argument just advanced by an opponent, and no less needed to invent fresh arguments to replace those of a friend which have just been damaged. He once said himself that it

had been his fate to live all his life with men whose minds moved faster than his own. It was in the power of steady, sustained thinking that his strength lay, and his thought was all the sounder because he had weighed every fact and tested every link in the chain of reasoning.

It was not however merely his intellect, massive as it was, that gave him importance in English politics. The authority enjoyed by men of rank and wealth in England has a double source. On one side it savors of snobbishness, that is to say, it springs from a deference to social position, a desire to bow down to, or at least stand well with, the great ones of the earth. On the other and better side it is due to the feeling that a man of distinguished rank and great wealth is a conspicuous person, who has a good deal to lose by any transgression. Such a one, being held to a high standard of duty and responsible to a watchful public opinion, may, it is believed, be all the better trusted to rise to the standard. This is often but of course not always true. Scions of the oldest families in Rome were, and dukes and dukes' sons in England have been, as tricky and unscrupulous as any obscure plebeian. There is also the feeling that a great noble is under less temptation than a man who has his way to make. Office attracts him less, because he has already so much of the things most men desire.

These considerations (which are no doubt arguments that may be used on behalf of any aristocracy) contributed to give the Duke of Devonshire the exceptional position he held in England. When real mental power is found conjoined with rank and wealth, and when it is recognized that the possessor of all these is also an honest, upright, candid person, one of whom it can be said "you always know where to find him", no wonder he exerts a great influence. There have been several such figures among the leading statesmen of England, in the period covered by this book, but the duke was probably the strongest among them. Everybody felt that he was an honorable and truthful man, a gentleman in the best sense of the word.

The new light which this life sheds upon the history of the time may not be very great, but it is well worth having, for it is thrown upon events of real significance such as the Egyptian difficulties from 1882 to 1885 and the Irish question from 1868 onwards. Even where no quite new facts are disclosed, the inner causes at work in determining the action of the leading figures are elucidated. About that later period from 1886 to 1895 when the duke, having parted from Mr. Gladstone and the Liberals in 1886 over Home Rule, was the head of a separate political section, the Liberal Unionists, and about the still later years after 1895 when he joined the Tory administration which he quitted in 1903 because it was drifting towards a policy of protection and he continued to be a staunch free trader, we are told much less. The events are nearer our own time, so that the biographer may have felt less free to publish documents, or he may have been unconsciously influenced by an

unwillingness to criticize those with whose present political attitude he personally sympathizes.

Readers who gather from the narrative given in the book that the Duke of Devonshire was for thirty years (1875 to 1905) one of the foremost figures among the history-makers of his country may ask what the total result of his action was. Can he be described as an important factor? Did his personality and his opinions make a real difference to the course which events took? That is after all the chief question one has to ask about all statesmen except those whose personality is in itself so interesting that they are remembered not merely by what they did but by what they were.

The Duke of Devonshire was throughout life not a forward-pushing but a restraining force. He did not generate steam but was a brake on the wheel. This was not due to any timidity in his character, for he was a perfectly courageous man. It arose out of the character of his intellect, which was not sanguine or emotional or enthusiastic but sober and cautious. His very slowness of mind made him disposed to move slowly. He did not easily shake himself clear from views of policy he had once imbibed, and when he had to weigh the risks of a change against its possible or probable gains, he preferred to bear the evils that he knew. He was often wrong, that is to say, events proved that the course he preferred was a course which could not have succeeded. This was conspicuously true, though his biographer tries to shut his eyes to the fact, of the line of action he took on the so-called Eastern Question in 1876-1880.

The considerations that determined his mind and action were never unsubstantial, never irrelevant, and though his judgment was of course more or less affected by his position as a great landowner, he did not allow self-interest to deflect him from the path of public duty and from his judgment of the public benefit. The criticism to be passed on him would seem to be that he did not duly apprehend either the need which sometimes arises for taking the risks of a new departure just because the existing situation involves even greater risks, or in respect of the danger that when a long-delayed change comes it may come in a more violent form. In this respect his temperament was unlike that of Mr. Gladstone, with whom it was his fate to be so long mated. Their merits and defects were complementary to one another; and the reader who follows their relations as set forth here will regret that they had to part, for each was valuable to the other, and each suffered from the severance. This brings us back to the question of the actual effect of the Duke of Devonshire on English politics. He disapproved the attitude of Mr. Gladstone and a large section of the Liberal party at the time when the Eastern Question was acute (1876 to 1880) but his disapproval made no material difference. He had sore misgivings over the Irish Land Bill of 1881, but yielded to what seemed the necessities of the case. He did not like the extension of the suffrage in counties in 1884-1885, but was dragged along and ac-

quiesced. But in 1886 he absolutely refused to follow Mr. Gladstone in the adoption of a Home Rule policy; and on this occasion his attitude proved to be of capital importance, for he carried with him a number of followers in the House of Commons sufficient to defeat the bill brought in by Mr. Gladstone's government in that year, and a sufficient number of followers in the country to make the defeat of Home Rule at the ensuing election practically decisive and to seat a Tory administration in power. This was his chief achievement, a negative achievement, but far reaching in its consequences. His later action when he was a member of the Salisbury government from 1895 to 1901 and of the Balfour government from 1901 to 1903 was, so far as we can gather from these pages (for the story is not very fully told), much less important. His former Liberal allies seem to have hoped that he would have exerted himself to avert the South African War which broke out in 1899, and have either arrested or modified the Education Bill of 1902 which roused so much passionate feeling in England, seeing that he was in both years a member of the Cabinet. It is possible that, though he never became a Tory, he shared the views of his colleagues. It is also possible that he was growing old and more or less sluggish and not inclined to fight for his own views with the firmness of earlier years. Anyhow his presence in the Cabinet would seem to have made no difference. To have defeated Home Rule, or at least delayed it, since it still holds its place on the programme of the English Liberal party, was the chief tangible result of his career. It was a long and honorable career and one characteristic of England, for he was (with the exception of the late Lord Spencer) the last of that remarkable group of Whig statesmen who played, from the Revolution of 1688 onward, so prominent a part in English history. The house of Cavendish was even in 1688 the greatest of the Whig houses, and continued to be so until, like nearly all the others, it was absorbed into the opposite party in that complete transformation of political conditions which has come upon England since the extension of the parliamentary franchise in 1867.

BOOKS OF AMERICAN HISTORY

Histoire Critique de la Grande Entreprise de Christophe Colomb.

Par HENRY VIGNAUD, Conseiller Honoraire de l'Ambassade Américaine, Président de la Société des Américanistes. In two volumes. Tome premier, 1476-1490; tome deuxième, 1491-1493. (Paris: H. Welter. 1911. Pp. xxxiii, 730; xix, 703.)

A CRITICAL investigation of the life and achievements of Christopher Columbus has occupied M. Vignaud for many years, and among students who have busied themselves with a search for the truth concerning the great discoverer he to-day holds a foremost place. The results of his studies he has published from time to time in such volumes as

Toscanelli and Columbus, Études Critiques sur la Vie de Colomb avant ses Découvertes, A Critical Study of the Various Dates assigned to the Birth of Columbus, all of which have been extensively noticed in the REVIEW. In these final monumental volumes he restates his conclusions, as they appeared in the above mentioned works, relative to the numerous details which enter into and make up the complete story of the "Grande Entreprise", adding the rich results of a careful consideration of old material and of a study of the newer material as it has come to light in recent years.

It is a merited commendation to state that M. Vignaud has given us in this his last work the most valuable contribution ever published on the Columbus problem. Much that he has advanced, through his keen analysis of the facts as they are known, has seemed not a little startling, and many of his critics of the older school have charged him with being a detractor who would take from Columbus the high honor with which the centuries have crowned him. Not so. M. Vignaud is not an iconoclast except of opinions which do not have a well-attested foundation. He finds, for instance, that it is vastly more creditable to Columbus to have discovered the New World, as he did, in looking for it—for his expedition was organized to find new lands, a fact which cannot now be controverted by any known document—than by having found it merely accidentally in endeavoring to do what was then an impossible thing, that is, to find the Indies of the East by sailing westward. It is not difficult to follow his arguments as they are advanced in his several publications, especially in view of the fact that we find an occasional summary of these arguments added. It may here be observed that by reason of his logical presentation, and his excellent style, with every positive statement supported, his volumes are intensely interesting.

While space will not permit a detailed reference to his several theses, most of which may be found recapitulated by Professor Bourne in his review of the volume on *Toscanelli and Columbus* (AMERICAN HISTORICAL REVIEW, VIII. 341-346), mention should here be made of the more important ones, of those upon which in particular he has shed new light, through his critical studies.

He finds, for instance, that Columbus neither belonged to the nobility nor to a family of sailors, that he was not related to the admirals Columbo, nor had he ever received university instruction, that he arrived at Lisbon by mere accident, and had no idea then of undertaking discoveries. Unless other evidence becomes known than that which we now possess, M. Vignaud can be said to have disposed of the Toscanelli letter and map which have had so prominent a place in the history of the Columbus discoveries. They have done service in support of the theory that Columbus started out on his great expedition to find the Indies by sailing westward, whereas there is not a single indubitable evidence that such an idea was in his mind before sailing. His object was to find lands or islands concerning which he had gathered

information considered by himself as absolutely sure, and it was for such discovery he bargained with the king and queen. M. Vignaud's position here seems clear and unassailable. He opposes the idea that the Portuguese before 1474 were interested in searching for a waterway to the East Indies, and he could have strengthened his position by a more extensive reference to the maps. These certainly support his interpretation of the words "*Oceanum mare versus meridionales et orientales plagas*" in the Bull of 1454, the reference being to the coast region of Guinea which trends southward and eastward as he states, and not to the south and east of Africa, as others have interpreted the passage.

If Columbus did not have in view, on leaving Palos, a voyage westward to India, neither did his seamen. The *Journal of Columbus*, as M. Vignaud notes, discloses the fact that Columbus and all his companions had only in view the discovery of islands searched for, on which point he gives us an interesting chapter (II. 173 *seq.*). In explanation of Columbus's belief that he had reached the East Indies we find the plausible suggestion that having reached the Antilles, which were far beyond the position in which he expected to find the islands for which he went in search, he imagined that he was in the Indies and not far from Cathay.

In his chapter on *Témoignage des Contemporains* (II. 287 *seq.*), a long line of witnesses is cited in support of the statement that it was the object of Columbus to make new discoveries, and no one of those witnesses, except Fernando Columbus and Las Casas, whose information came from Columbus himself, mentions the supposed intention of reaching the Eastern Indies by way of the west. It is the contention of M. Vignaud that not until his return from his transatlantic discoveries did he apply himself to a search for a support of his illusion, and that his cosmographic theories are in origin subsequent to his discoveries, and do not antedate them.

In addition to his main points, to the more important of which allusion has been made, we find certain new facts disclosed or old ones placed in better light, including a list of the companions of Columbus comprising names not before mentioned, the statement of the son regarding Española (II. 193), a consideration of the important part taken by Pinzon in the discovery, and a careful study of the *Pleitos* of Columbus, a source of information which he notes has been generally neglected. While the point has not been overlooked in his studies, it would have given added weight to his arguments had there been a more extended treatment of the gradual expansion of geographical knowledge southward and westward, and of the fact that Columbus became one of a long line of named and unnamed explorers with perhaps a stronger conviction, and one well founded, that success would attend his efforts, as it did, and in measure vastly greater than he anticipated.

M. Vignaud has assuredly given us a history of the early life of Columbus and of the causes which led to the discovery of America far

different from the one based on the Columbian tradition which has been so generally accepted.

E. L. STEVENSON.

Studies Military and Diplomatic. By CHARLES FRANCIS ADAMS.
(New York: The Macmillan Company. 1911. Pp. v, 424.)

IN this volume of pungent and suggestive essays and addresses Mr. Adams continues his studies on the military history of the United States and upon the diplomatic features of the Civil War with which his father was connected as minister to England. The unifying idea which runs through all the papers, military or diplomatic, upon the Civil War, is that the outcome was really decided not by the Northern armies but by the pressure of the blockade and that the decision by the English not to intervene for the purpose of opening the Southern ports was the one point on which the result of the whole struggle depended. Probably Mr. Adams does not literally mean all that his words apparently say. It is a certain vivacity of expression characteristic of his inheritance which leads him to maintain in one place that a woman, Mrs. Stowe, really decided the Civil War through the effect of her *Uncle Tom's Cabin* upon English lower middle-class sentiment; and in another place to ascribe the same outcome to the individual preference of Palmerston for giving a rebuke to Gladstone rather than seeming to follow his lead in recognizing Confederate independence. It is noteworthy, however, that in all his observations on the military events, Mr. Adams pays little attention to the progress of the western campaigns, which like a great turning movement finally swept the armies of the Confederacy back to the Atlantic seaboard, and concentrates his interest on the fortunes of the Virginia contest. One gets the impression that the Civil War with which Mr. Adams is concerned is the one which was visible, as it were, from England. While no civilian student of the period can afford to neglect the important critique of Rhodes's *History of the United States* entitled *Some Phases of the Civil War*, he will be conscious in reading it that he is dealing with what may fairly be called an Adams Family view of the situation. The most valuable part of the book without doubt is to be found in the four papers on the American Revolution. Here Mr. Adams turns his powers of keen and fearless analysis upon a field which has hitherto been left, so far as American writers are concerned, to the unaided powers of civilians, for whose judgments Mr. Adams has an unbounded and freely-expressed contempt. Here too a central idea serves to unify the papers on Long Island, Washington and Cavalry, and The Revolutionary Campaign of 1777—the thesis that George Washington not only was not a military genius but was a positively bad general who was saved from the ruin which on military grounds he deserved, solely through the incompetence of Sir William Howe. With almost redundant detail Mr. Adams establishes that the attempted defense of

Long Island was an act of military folly and that the effort, by fighting, to keep Howe out of Philadelphia was as foolhardy as it was unnecessary. The illuminating criticism with which Mr. Adams dissects the campaigns of 1775, 1776, and 1777 makes his work a most welcome contribution to the proper understanding of these years. Every student of American history must feel gratitude for these papers and regret that the author did not deal with the later campaigns in the same way, the more especially since in 1781 he admits that the same Washington who heaped blunder on blunder in 1777, "carried out with prescience, judgment, skill and energy", a plan that was "boldly as well as brilliantly conceived". One need not be under the sway of the Washington myth, to suspect that the quality of the troops and the fullness of the other means at his disposal had rather more to do than Mr. Adams seems to imply with the failures of 1776 and 1777 and the success of 1781. It may even be doubted whether Napoleon, Frederick, or Wellington could have accomplished a great deal more than Washington did with such troops as he commanded in New York and Pennsylvania, even although we may fully agree with Mr. Adams that they would have made none of the blunders he so relentlessly points out.

THEODORE CLARKE SMITH.

Social Forces in American History. By A. M. SIMONS. (New York: The Macmillan Company. 1911. Pp. ix, 325.)

THIS book was evidently written to illustrate a theory. The theory is Marx's economic interpretation of history, with its social class struggle, the rise of capitalism, the creation of a proletariat, and the inevitable social revolution. The author has examined American history with a view to ascertaining how far it can be made to fit into this theory. His aim is to discover those "social forces" which, according to his theory, are the fundamental factors in social evolution. Naturally he finds what he is looking for. Behind every great event in our history stalks the capitalist in some of his many guises, always seeking to gain some advantage for his class, and to exploit the masses. Everywhere appear contending social classes with their separate material interests and developing "class consciousness", each struggling to control the government and make use of its powers to gain some economic advantage. The Causes of Colonization are found in the social upheaval in Europe incident to the rule of the merchant class, which "was the first division of the capitalist army". "As fast as the merchant or manufacturing class obtained power, its members set about divorcing the former serfs and peasants from the soil . . . in order that the workers might be 'free' to hunt for employers. So it was that the people were being driven out of their ancient homes" to the colonies. The Revolution is explained in the same way. "It was, in reality, but one battle of a great world-wide struggle between contending social classes." "At

every point the industrial life of the colonies had reached the stage where it was hampered and restricted by its connection with England. Large classes of the population required an independent government to further their interests. . . . In these great basic facts and fundamental conflicts of interest do we find the causes of the Revolution, and not in petty quarrels over insignificant taxes and abstract principles of politics." The group of political changes after the Revolution which resulted in the adoption of the Constitution was an event of the same character, and grew out of the same kind of situation. The men whose special class interests had demanded and secured separation from England found that they needed a stronger government to secure and promote those interests. "To collect debts, public and private, to levy a tariff for the benefit of infant industries, to protect the fisheries and pay bounties to the fishers, to assist the Southern planter in marketing his crops, and to secure commercial treaties and guard commercial interests in all parts of the world a centralized government was needed. Those who desired such a government were, numerically speaking, an insignificant minority of the population, but, once more, they were the class whose interests were bound up with progress toward a higher social stage." "The wage working, farming and debtor class naturally had no desire for a strong government. These desired above all relief from the crushing burden of debt", and sought it in "new issues of paper money, stay laws and restrictions on the powers of the courts". "They were an overwhelming majority, but they lacked cohesion, collective energy, and intelligence, —in short, class consciousness." "The little group of individuals who best represented the ruling class, and who dominated throughout the Revolution, were to a large extent losing control. They now set about recapturing it through a secret counter revolution." Thus the Constitution is declared to have been "called into existence through a conspiratory trick, and was forced upon a disfranchised people, by means of a dishonest apportionment, in order that the interests of a small body of wealthy rulers might be saved". In the true spirit of "scientific socialism" we are told that this "should not blind us to the fact that this small ruling class really represented progress", since a unified government was essential to the industrial and social growth of this country.

These examples are sufficient to show the general tone of the book. The other great events in our history are dealt with in the same manner. There are chapters on the Rule of Commerce and Finance, the Rule of Plantation and Frontier, the Westward March of the People, the Birth of the Factory System, the Condition of the Workers, the Youth of Capitalism, the Crisis of the Chattel Slave System, and finally the Triumph and Decadence of Capitalism. Everywhere the same influences are at work and the same class struggle is to be discerned. It is impossible here to find space to criticize any of these views in detail and show wherein they fail to explain the events to which they are applied.

Moreover it is unnecessary to do this for professional students of history. To work out the causal connection between events is the most difficult, as well as the most important part of the work of the historian, and no one who has attempted to do it is likely to have much faith in such generalizations as form the fundamental ideas of this book. As a socialist *tour de force* it has interest. The author has certainly taken pains to inform himself concerning the facts of American history. He has read with care most of the standard authorities and the monographic literature, and has dipped into the original material to a considerable extent. He has shown skill too in marshalling his facts so as to illustrate his theory. Those who already have faith in this theory and those who are concerned to combat it will no doubt read the book with interest if not with profit. But as a serious attempt to deal with history in a scientific spirit, to really do what the title implies, discover those influences which have worked beneath the surface to mould our social evolution and determine the events of our history, it can hardly be said to have any value at all.

GUY S. CALLENDER.

A History of the American Bar. By CHARLES WARREN of the Boston Bar. (Boston: Little, Brown, and Company. 1911. Pp. xii, 586.)

THIS is a book of great value to all scholars of American jurisprudence and to all practitioners who are interested in their profession. As described by the author in his preface, it is an historical sketch rather than a history. It seems to be an enlargement of parts of an address at some law school anniversary and, as is not unusual in such a case, features are left in the arrangement which are more appropriate to the original draft than to the present form. A number of quotations from earlier authorities in support of propositions are left in the text, instead of having been transferred to the notes. This is also the case with a number of illustrations not of sufficient interest to fatigue the attention of a casual reader, for which the notes are the proper place. These are not uncommon blemishes in the literary productions of a brief-maker. The greater part of chapters I. and VII. and other matter concerning the history of the bar in England, although suitable for such a discourse, seem to have no proper place in this history.

The most useful parts of the publication are, the catalogue of the leading members of the bar from the earliest colonial times to 1860, with the dates of their births and the official positions that they occupied; the enumeration of the leading text-books by American lawyers, with the dates of publication, which, we believe, have never previously been collected; the bibliographies attached to the chapters describing the bars of the colonies and of the states during the first quarter of a century since the Declaration of Independence; and the history of the origin

and development of several legal principles, such as the doctrine that a man cannot recover from his master damages for the negligence of fellow-servants, the law regulating the rights and liabilities of railroads and other corporations, the enlargement of the rights of married women, codification and other forms of procedure. The omission of the dates of the lawyers' deaths, although an economy of labor for the author, will exasperate many a reader. The bibliographies are by no means complete. In his discussion of the first lawyer who practised in New England, Thomas Lechford, the author says: "Little is known of him" (p. 68). Mr. Warren apparently has acquired his information second-hand from Governor Washburn and other Massachusetts writers of the nineteenth century and seems not to have heard of Lechford's *Note Book*, published by the American Antiquarian Society in 1893 with a sketch of the writer's life, by J. Hammond Trumbull, and annotations, many of them written by Judge Dwight Foster. We possess more full information as to Lechford's doings—even of his income, which was largely from sixpenny fees—than of the professional experience of any other colonial lawyer, and the books that he published in England after his banishment are still consulted by students of the history of New England. Although one note (p. 250) contains a quotation from that delightful book, Wharton's *American State Trials*, there is no mention of his series of short biographies of the leading members of the bar of the capital of Pennsylvania, where the phrase "Sharper than a Philadelphia lawyer" originated. Each of these was drafted by a descendant of one of these brilliant contemporaries and each, when furnished to Dr. Wharton, who told the story to the reviewer, piously ended with the statement, "He was the acknowledged leader of the bar in his time." While Dane's *Abridgment* and his work upon the Statutes of Massachusetts are mentioned, the reader is not informed of his part in framing the Northwestern Ordinance. Shirley's *Dartmouth College Case* is not mentioned. The story of the embracery of the Supreme Court and of the part of Webster's argument which is said to have been omitted from the report, is taken from the life of Webster, by Senator Lodge, who acknowledged his indebtedness for this to the book of John M. Shirley. There are a few misprints (*e. g.*, 14, 312, 315, 493). The index, although good and highly useful, is not complete in its references to the pages where the different names are mentioned.

The most exhaustive part of Mr. Warren's work is displayed in the discussion of the colonial bar and of the lawyers who reached eminence before 1830. This abounds in interesting anecdotes. In the history of later times, he seems to have been overwhelmed by the abundance of his material, and he omits descriptions of the characters, appearance, and manners of the leading lawyers during the middle of the nineteenth century, as well as the numerous stories about them and their sayings, which have been preserved by tradition and will soon be lost unless

recorded in a permanent form. Although the reminiscences of Jeremiah Mason are often quoted, none of his sarcasms are recorded. The brief reference to John Van Buren does not disclose to the reader that he was the most famous wit that has ever practised at the New York bar, nor his nick-name of "Prince", nor even that he was the son of a President. No one would suspect from reading the book that Charles O'Connor is still considered by the laity to be the greatest lawyer that New York has ever seen. The DeForest Divorce Case—as famous in its day as were later Tilton v. Beecher or The People v. Harry Thaw—is not even mentioned. There is no reference to the exuberant Latin quotations, the wit or the erratic habits of Rufus Choate.

There is still a void to be filled by the man who can write a book which will take a place in the legal literature of the United States like that held by Campbell's *Lives* in England. That others can do similar work has been proved by Mr. J. B. Atlay in his *Lives of the Victorian Chancellors*. That Mr. Warren can do the same seems probable from his description of the colonial bar. Should he rewrite and expand his work by adding another volume and eliminating the present superfluities, he will put the profession under great obligations to his pen.

ROGER FOSTER.

The Quakers in the American Colonies. By RUFUS M. JONES, M.A., D.Litt., Professor of Philosophy, Haverford College, assisted by ISAAC SHARPLESS, D.Sc., President of Haverford College, and AMELIA M. GUMMERE. (New York: The Macmillan Company. 1911. Pp. xxxii, 603.)

ALTHOUGH ordinarily Friends have had little concern for history, properly so called, perhaps because, in accordance with their religious belief, zeal for universal principles has been greater than interest in historical facts, they have made large contributions to the literary sources of history. Journals and memoirs of itinerant preachers, papers and testimonies given out against particular persons and sins, letters from one meeting to another of like or unlike degree, and the records of the various meetings—all these constitute a rich body of material for a diligent student, provided he be sufficiently sympathetic with the thought and language of Friends to read understandingly. Not only must he know the meaning which certain technical expressions had in the minds of those who used them, but he must also view the actions of Friends in the light of their creative principle, remembering, as Dr. Jones well says, that "There are persons, or at least there once were, who find all their life-values altered and all their utilitarian calculations shifted by an inner impulsion which says irresistibly, 'thou must!'" (p. 80). An objective survey of facts must be accompanied by a subjective appreciation of meaning and values. This qualification Dr. Jones, himself a

Friend, has to an eminent degree, telling the story of persecution dispassionately, with only an occasional word or phrase which reveals sympathy with his evil-entreated brethren according to the Spirit, and at the same time making perfectly clear on both Puritan and Quaker side the psychology of events. Moreover Dr. Jones seems more just in his appraisal of the influence of the Friends upon American life than Dr. Sharpless, who in his admirable chapters upon The Friends in Pennsylvania appears to regard an anticipation by the Friends of ideas now generally accepted as evidence of a direct contribution towards their development (pp. 463 *et seq.*).

Much attention is properly given to a predisposition in New England towards the principles of the Friends which helps to explain at once the popular sympathy with them and the persecuting ardor of the magistrates and the ministers. The contrast between Puritan and Quaker is manifest: the former, holding to a fixed and final revelation in Scripture valid for political as well as for religious life; the latter, acknowledging the Bible but insisting upon the Spirit which produced it as the true interpreter and also as an abiding source of continuing revelation. Naturally, therefore, the Quaker seemed to the Puritan a subverter of the foundation upon which rested both Church and State. Nevertheless, at the very heart of Puritanism, just because of its Calvinistic theology, lay a feeling for mysticism, which found clearer expression among the Separatists, making both them, and to a less degree the Puritan also, susceptible to mystical approaches. The teaching of Anne Hutchinson was but an exaggeration of this mystical element in the Calvinism which her opponents professed but did not fully appreciate. Roger Williams was nothing of a mystic but he stood for spiritual freedom without State interference and therefore brought within the sphere of his influence free-seeking persons whose hearts were congenial soil for the Quaker seed. That Anne Hutchinson and Roger Williams had so large a popular following showed a preparation for the doctrine of the Friends which necessarily put officials in Church and State on their guard. The Puritans had abolished many particular religious forms and ceremonies because they were not commanded by the Bible but they adhered all the more stoutly to such as they retained, thus maintaining firmly the principle of outwardness in religion, but the Quakers, committing themselves fully to the opposite principle of inwardness, went farther than the Puritans and swept away all externality as inimical to the Spirit. Yet, the Puritan theology harbored the Spirit which came out clearly in the Quakers, as it had already showed itself in Anne Hutchinson, hence there was popular sympathy with their teachings which was ominous for the established order. Hallowell recognized this in his *Quaker Invasion* and Dr. Jones has enlarged upon the idea giving abundant evidence of the strength of the pre-Quaker movement.

Dr. Jones also offers an explanation of what he concedes to be an

evident fact, that the Friends have failed to fulfil their early promise of becoming a notable and permanent influence in American life. One fundamental difference among mystics, all of whom accept an inner, individual experience as divinely authoritative, is in the attitude taken towards nature and society. Some perceive that as the Spirit is in them, so is it also in other men, in society at large, and in the processes of nature, but the ever-present temptation is for the mystic to turn away from these larger revelations and act as if in his own breast alone the Spirit dwelt. That the Friends fell into this error, Dr. Jones shows with perfect clearness. When the pressure of persecution was removed, the Friends accepted for themselves more and more the rôle of a "peculiar people" bearing testimony to their distinctive principles. As Dr. Jones says, there were some among them who in order to put their ideals into practice were willing to work them gradually, as occasion permitted, into existing usages and practices, but the greater number, scorning such treacherous time-serving, withdrew from political life in order to keep their ideals unspotted from the world. It is suggested that by virtue of this withdrawal the Friends were freer to lead in moral reforms, and indeed as one reads the record he is inclined to sympathize with the view that perhaps the inflexible idealist is as useful in social progress as the more pliable actualist who is willing to move forward by compromises, but if the Friends had recognized what indeed is inherent in their principle, that the same Spirit living in them was living also in society, slowly working there towards the ideals which it inspired in them, it would have been more natural to co-operate with their fellows and less easy to accept the position of a "peculiar people".

To the same cause must be attributed a part at least of the Friends' neglect of education. If the inner light is not only in one or another individual, but is inherent also in nature and society, then education which opens up the processes of nature and puts one into the current of contemporary thinking must be approved, but if the inner light is unrelated to the rational powers and exists within the individual as an independent source of truth, what need is there of education? Why trifle with books when within dwells the infallible Christ in whom are hid all the treasures of wisdom and knowledge? Even where so extreme a view was not held, its influence appears in zeal for a "guarded education". To these two causes then, willingness to settle into the position of a peculiar people and neglect of education, both of which are traceable to a certain type of mysticism which the majority of Friends unhappily accepted, Dr. Jones traces their failure to accomplish all that might have been rightfully expected of them in American life.

The most illuminating portion of the book, however, which no one but a Friend could have written, relates to the new type of social religion exemplified by the Friends. Tendencies just referred to, and the character of mysticism in general, lead us to think of the Friends

as thoroughly individualistic in religion and accordingly the stock question is, how mystics in general and Quakers in particular can have escaped pure subjectivity—must they not have mistaken their own fantastic whims and impulses for accents of the Holy Ghost, and does not history make it plain that they did? In answer to this Dr. Jones calls attention to the remarkable organizing power of Fox and to the influence of the “meeting” upon its individual members, restraining eccentricities and producing a common type. “The meeting was thus not a place for venting individual whim and personal caprice. It was the time when many individuals were merged and baptized into a living group, with a common consciousness of a divine Presence, and the utterances which were given were expected to be ‘in the common life’” (p. 138): “From first to last *the group was the unit*, and the individual found his life and his leading in the Life and Light of the formative spiritual group” (p. 141). In addition, thanks to frequent intercommunication by letters and visiting preachers, all the meetings were bound together nearly as closely as the several members in every single meeting and in this larger union of Friends, especially as they grew to be a “peculiar people”, individual eccentricities were balanced and local oscillations of thought and sentiment composed into equilibrium. This had great advantages; *e. g.*, when John Woolman began his testimony against slavery he was but formulating a hitherto vague sentiment among Friends in general and hence was able to carry them on with him; but it had equal disadvantages, for it made inevitable the fixity of type which is adverse to the spirit of Quakerism, especially when it relates to such externalities as dress, language, and manners. In this idea of the meeting as the unit, Dr. Jones gives a most important key to an understanding of the later history of Quakerism.

When a book is so good as this is, it seems ungracious to criticize but one cannot help wishing that it were wholly the product of a single writer, for although the collaborators have worked in the harmony of the spirit, as Friends should, and the level of excellence is well maintained, the geographical distribution interferes with a comprehensive presentation of particular topics. The philanthropic and political activities of Friends are separately treated in the several portions and the synthesis has to be made by the reader with no inconsiderable effort, notwithstanding the aid of a good index.

W. W. FENN.

The Revolutionary War and the Military Policy of the United States. By FRANCIS VINTON GREENE. (New York: Charles Scribner's Sons. 1911. Pp. xxi, 350.)

THE author of this book proposes to write a history of the military operations of the American army, and “to present, within the limited space of three small volumes, the essential facts in our military history,

and to make such analyses of these facts and such comments upon them, as may be useful for the future and interesting for the present" (p. vii). Only the first volume of the series is now published; and a small part of this is devoted to the military policy of the United States and the conquest of yellow fever in Cuba.

So much has been written on the operations of the Revolutionary army that a new work on that subject inevitably invites a comparison with the books in the same field that have preceded it. In comparing General Greene's volume with its predecessors one is impressed rather more by resemblances than by differences. The subject is so hackneyed that an author who does not use new sources of information, nor take a new point of view, nor analyze the old facts with greater acumen, nor bring to his task superior literary qualifications, is unlikely to make a contribution to the history of the Revolutionary War that is of importance to the special student. He may however, as has General Greene, produce a work that is of interest to teachers and the general reader and that supplies a real need. The chief merits of the book under review are its compactness, its excision of all extraneous information, and its plain and clear statement of the essential facts of the war.

The published list of authorities (pp. xix-xxi) shows a wide, though by no means exhaustive, reading of the sources of information. The author is inclined to overestimate the value of the books that he uses. Whether the nineteen memoirs mentioned on page xix "contain probably every original fact and figure which is known concerning the respective events of which they treat" is doubtful. Sparks's *Writings of Washington* might well have been supplemented by Ford's volumes on the same subject. Winsor's *Narrative and Critical History* is not listed. McCrady's *South Carolina in the Revolution* should have been read for its presentation of an adverse view of the operations in the South of General Nathanael Greene, if for no other reason. The military essays of Mr. Charles Francis Adams might have served to tone down some of the author's estimates of Revolutionary worthies. The book is admirable for its full citation of authorities, and it is well supplied with maps, all of which, with one exception, are derived from Avery's *History of the United States*.

The author confesses that he has been influenced by the "simple, clear style and accurate thinking of the late John Fiske, and also in a minor degree by the brilliant, sympathetic and attractive history of Sir George Otto Trevelyan" (p. ix). Occasionally he expresses himself somewhat loosely and carelessly, though always clearly. While generally taking pains to guard against bias, he at times reveals that his sympathies are with his countrymen. He says that the Continental soldiers of 1775-1776 were "animated with a fiery passion for liberty, a profound belief in the righteousness of their cause and a firm determination to redress their grievances at any sacrifice" (p. 21), and he states that "Howe never recovered from the mental paralysis which

he received at Bunker Hill" (p. 80). This manner of writing history has pretty much gone out of fashion.

A few misspelled words were noted—among others, Esek (p. 33), Abercrombie (p. 102), Baum (p. 110), Nichols (p. 113), and Mecklenburg (p. 224). The misstatements of fact are not many. A board of war was not appointed until June, 1776 (p. 13). It is hardly accurate to say that Arnold's duel was in resentment of insults of officers of the British army, since he fought the Earl of Lauderdale on account of certain remarks made by that nobleman in the House of Lords (p. 170). Sumter did not get on well with Greene (p. 222, see McCrady's *History of South Carolina in the Revolution, 1780-1783*, p. 202, *et seq.*). Nearly all statistics respecting the number of soldiers in the Revolutionary army are misleading, and some of those of General Greene are not exceptions to the rule (pp. 290-291).

The author's high estimate of Washington's military ability is one of the original features of the book. He calls the surprise at Trenton "a supreme effort of genius and daring" (p. 62). Washington's exposure of himself at Stony Creek to the bullets of the enemy is "on a par with that of Napoleon at Lodi and Skobelev at Plevna" (p. 73). The march to Virginia in 1781 is "comparable with Napoleon's famous campaign of 1805" (p. 272). Washington's four principal achievements are considered "Napoleonic". In each of them he exhibited extraordinary "daring, celerity and skill, the three qualities to which both Caesar and Napoleon owed their classic triumphs" (p. 280). If one places alongside of these words those of Fortescue to the effect that it is doubtful whether Washington has "any claim to be regarded as a really great commander in the field" (*History of the British Army*, III. 403), the varying judgments of military critics become painfully obvious.

Notwithstanding the vast amount of material respecting the Revolution that has been published, there is greatly needed a history of the Continental army written from the point of view of organization and administration. Such a book would prepare the way for a more critical and scientific study of the tactics and strategy of the war than has yet been made. Some fundamental matters still need clearing up—among others, the size of the Continental army and of its several parts, the relative services of Continental and state troops, the use made of cavalry, Washington's military ability, and the effectiveness of the staff departments.

C. O. PAULLIN.

The Life of Andrew Jackson. By JOHN SPENCER BASSETT, Ph.D., Professor of History, Smith College. In two volumes. (New York: Doubleday, Page, and Company. 1911. Pp. xiii, 371; 375-766.)

PROFESSOR BASSETT is the first biographer of Jackson who has apparently sought to base his narrative primarily, and indeed almost exclusively, upon manuscript sources. I say "almost exclusively" because, while he frankly relies, as need may be, upon such special studies as Fish's *Civil Service and the Patronage* or Catterall's *Second Bank of the United States*, and of course cites the well-known collections of documents, debates, and presidential messages, his references to the manuscript material so far outnumber all others as to lead to the conclusion that it is manuscript, and not printed, authority or opinion that he wishes chiefly to exhibit. Of the manuscript materials, the first in extent and importance are, naturally, the Jackson and Van Buren papers in the Library of Congress; but a few other fields of lesser extent, such as the letters of Jackson to W. B. Lewis in the Ford collection in the New York Public Library, together with some papers still in private hands, have been industriously searched. To these unprinted sources are to be added the Gaines papers, published in the Nashville *Tennessean* in April, 1909, and a small collection owned by the Tennessee Historical Society, and listed, and in part published, in the *American Magazine of History*.

Of the Jackson collection in the Library of Congress, quite the larger portion relates to the period before Jackson's presidency; and to this period Professor Bassett devotes the first of his two volumes. The proportion is more even than that of Parton, who does not get to 1828 until he is a quarter of the way into his third volume; but considering the epoch-making significance of the Jacksonian period in American history, one cannot but feel that the incidents of these earlier years have been over-elaborated. What is done, however, is exceedingly well done. From the standpoint of national politics the events of first-rate importance here are the battle of New Orleans, the conduct of Jackson in Florida, and the election of 1824-1825. Of the first two of these episodes, and, with a qualification to be noted later, of the third also, Professor Bassett gives admirable accounts; the best, I venture to think, in detail, proportion, and discriminating use of material, that has yet been given. The minute narrative of the operations at New Orleans is a particularly successful piece of military description. An equally discriminating examination is made of the famous controversy between Jackson and Monroe over the Rhea letter; and Professor Bassett, who inclines to accept Monroe's version rather than Jackson's, offers a conjectural explanation of the discrepancy between the statements of the two men which has the merit of exonerating both from the suspicion of falsehood. The passage (I. 249, note) is, unfortunately, too long to

quote. On the other hand, Monroe's lack of candor, to put it mildly, in allowing Jackson to believe that Calhoun was his friend in the Seminole matter is properly condemned (I. 277).

To the period from January, 1829, to March, 1837, Professor Bassett devotes 291 of the 750 pages of his two volumes, or a little more than one-third of the whole. The same painstaking investigation and wealth of personal detail, so far as manuscript authority is concerned, are exhibited here as in the earlier portion of the work. Jackson's own draft of his first inaugural, which is printed in full (II. 425-428), affords interesting illustration of his ideas and of the changes which his official papers often underwent. I am disposed to agree with Professor Bassett's conclusion (II. 476, note) that the undated "Memorandum of points to be considered in the administration of the government", which I cited in part in my *Jacksonian Democracy* as perhaps indicative of a change in Jackson's original conception of the functions of the Cabinet, is more probably a memorandum which he made of the views of another. Upon some of the larger aspects of the subject, Professor Bassett does not allow himself to dwell. The wide scope of the democratic revolution which culminated in Jackson's time, and of which, at its climax, he was the titular leader and the embodiment; the profound constitutional significance of the struggles with the bank, with South Carolina, and with the Senate; the growth of efficiency and ruthless vigor in party organization; the modification of social ideals and methods through the expansion of western settlement, the growth of trade, and the emergence of moral or humanitarian movements like abolition or projects of social reform; and the sure development of sectionalism in politics under the attrition of industrialism on the one hand and slave agriculture on the other, are not the matters with which Professor Bassett appears to have been greatly concerned. He does, indeed, refer to them, but only briefly and without emphasis. Doubtless it is for the biographer to decide how far he shall make his biography a history also of the period; but clearly Professor Bassett has written a *Life* of Jackson, not a *Life and Times*.

The brief chapter on Personal Characteristics shows much skill in analysis. From one of its primary conclusions there will, I think, be dissent, though perhaps only by way of qualification. "Jackson", writes Professor Bassett, "accepted democracy with relentless logic. Some others believed that wise leaders could best determine the policies of government, but he more than any one else of his day threw the task of judging upon the common man. And this he did without cant and in entire sincerity. No passionate dreamer of the past was more willing than he to test his principles to the uttermost" (II. 700-701). Is it quite the case that Jackson "threw the task of judging upon the common man"? That he was influenced in his own opinions by the fundamental opinions of his day is, of course, as true of him as of all great popular leaders; but is there any conclusive evidence that he really yielded to the

popular judgment on any crucial question? Is it not the fact, rather, that his opinions on public questions were essentially his own, and that, by sheer force of will and the happy chance of opportunity, he so commended his ideas to the masses that the masses came to think them their own? Symonds, speaking of the contrast between the real Caesar Borgia and the "radiant creature" of Machiavelli's "political fancy", observes acutely that Machiavelli, in *The Prince*, "cherished the ideal image of the statesman which he had modelled upon Caesar, and called this by the name of Valentino". The criticism is not without aptness in estimating the relation of Jackson to the masses whom he led.

WILLIAM MACDONALD.

The Annexation of Texas. By JUSTIN H. SMITH. (New York: The Baker and Taylor Company. 1911. Pp. ix, 496.)

EXCEPTIONAL opportunities and laborious industry have enabled Dr. Smith to give us a solid and comprehensive history of the annexation of Texas, based on a minute study of practically all the sources. Every phase of the subject is painstakingly, and, in most cases it seems, conclusively covered. As gathered by the present reviewer, his most important conclusions, which agree in the main with recent investigations based on narrower sources, may be stated as follows: (1) The Texas revolution was "a legitimate measure of self-defense" against the despotism of Santa Anna. (2) The rebels were aided by people of the United States, and there were "no doubt substantial violations of the neutrality law", but these "cannot be shown to have been the fault of our national authorities". (3) "Very good reasons existed" for the recognition of Texas in March, 1837, and Jackson did well in following the implied advice of Congress to recognize it. (4) Sectional influences caused the rejection of the Texan overtures for annexation in 1837, but by 1844 annexation sentiment was "largely non-partisan". (5) British interest in Texas was very great, and though Aberdeen's government seems not to have entertained the idea of annexing Texas, in 1844 it calmly contemplated war, if necessary, to prevent its annexation by the United States. (6) Tyler's desire to effect annexation, therefore, though partly due to personal and political ambition, was backed by patriotism and sound statesmanship; and "the method adopted to avert the peril was the most available and very likely the only effectual one that could have been devised". (7) Actually Texas was independent at the time, and the annexation treaty violated no principle of international law. (8) "Real opposition to the acceptance of Texas makes but a very small showing" in the rejection of the treaty, domestic politics being mainly responsible for its failure. (9) There was "no clear-cut issue between annexation and anti-annexation" in the election of 1844, and Polk's victory was not an endorsement of "immediate annexation"; nevertheless, "a large majority of the people" were "in favor of accepting

Texas at an early date". (10) Fear of injuring Clay's chances, and thereby furthering annexation, deterred England and France from a joint protest against annexation in 1844, but the subsequent withdrawal of France compelled England to work indirectly by inducing Mexico to recognize Texas on condition that it should remain independent. (11) Houston, Jones, and other prominent Texans favored the British plan, but the people were wildly in favor of annexation.

The book naturally contains some errors of fact, but they do not of themselves materially affect its value. Unfortunately, however, another fault may weaken the confidence of some readers in its worth. This is an occasional lack of perspective which is sometimes merely amusing, but which at other times leads to inconsistency, and at still others to questionable conclusions. As an example of the first, take the statement (p. 39) that the Texan Mier expedition—in which the total loss was 261 men—"considerably impaired . . . the fighting strength of the nation". And, remembering all of the facts, what must be thought of the argument (p. 386) that the practical Louis Philippe was influenced in his attitude toward annexation by the hope of eventually inheriting Spanish America (including Texas) through the failure of the Spanish Bourbon line? As an example of the second, on page 209 Calhoun represses disunion talk, but at the same time on page 211 he stimulates it. On page 392 England "could not afford to fight" the United States, but on page 394 it stood ready "to undertake a war in order to establish at the Sabine a perpetual barrier against us". As an example of the third, it seems to the reviewer that, in order to heighten the danger of British influence, too much is made of the apparent changes of public opinion in Texas during 1837-1845 (pp. 69, 70, 74, and chapters xvii. and xx.). And one feels that in chapter x. the influence of slavery is slighted before, and exaggerated after, April, 1844, in order to emphasize a "change of front" in the administration and to explain the Calhoun-Pakenham incident.

The system of citation used, though trying and sometimes uncertain, is probably defensible; but whenever it is possible copies should be distinguished from manuscript originals. For example, it should be indicated that a note containing the word "improperly", to which the author attaches a good deal of importance, is a copy. It seems less defensible to cite articles from which considerable assistance was drawn without giving the names of the writers. And unexplained references to "a well known historian", "the author of this passage", etc., are at the present day inexcusable. However, these are faults of taste. The book as a whole stands for itself, and on most points it probably says the final word. It is fittingly dedicated to the memory of Professor Garrison.

EUGENE C. BARKER.

The Presidential Campaign of 1860. By EMERSON DAVID FITE, Assistant Professor of History, Yale University. (New York: The Macmillan Company. 1911. Pp. xiii, 356.)

THE most important of Mr. Fite's conclusions are to be found in the introduction (pp. ix to xiii). The text includes discussions, of John Brown's raid and the speakership contest (pp. 1 to 91), and of the conventions (pp. 92 to 131), and an analysis of campaign arguments (pp. 132 to 235). There follow (pp. 236 to 342) reprints of the party platforms, and of speeches by Schurz, Douglas, Yancey, and Brownlow, which are not elsewhere readily accessible. The index (pp. 343 to 356) is not particularly satisfactory. Mr. Fite, believing that the campaign began with John Brown's raid, accomplishes the difficult feat of actually beginning there, avoiding the classic review of causes. He elsewhere avoids conventional facts, making his work more interesting to the historian, but somewhat deceptive for the general reader.

The material used is almost entirely of a public, contemporary character: speeches, editorials, public letters, etc.; practically not a fact is adduced which was not available at the time. This limitation is doubtless to be taken in connection with the author's statement in the preface: "Presidential campaigns in the United States are great popular debates". Mr. Fite scarcely mentions the strategy of the campaign, the adaptation of the argument to the locality, the stress put upon doubtful states, the arguments addressed to special classes of the population. Moreover, he gives nothing whatever on the organization of the campaign, the raising of the sinews of war, the meetings and plans of the leaders. No New England town-meeting was ever so unorganized as Mr. Fite's national campaign, and except for general references to North and South, it might have been waged in a country of uniform conditions. Mr. Fite's debaters are as oblivious of locality as Milton's debating demons of the fires of hell.

The use of the material employed, moreover, is not satisfactory. To cull from such sources the essential, to properly represent the real and the talking value of certain arguments, and to read the true meaning under oratorical forms, requires more thoroughgoing knowledge of the whole situation and more political insight than Mr. Fite exhibits. The fact that the "unconditional-union" supporters of Breckinridge in the mountain area were without a spokesman, causes them to remain unmentioned, although they ultimately determined the fate of two states. The Breckinridge leaders in the North are unexplained. The tariff is discussed in thirty lines (pp. 125, 164, 171, 197-198), stating that minor references were made to it. Yet the speech by Schurz, delivered at St. Louis and given in the appendix presumably as typical, is punctuated with that subject (pp. 250-251, 253-256, 261, 263, 265-268), and the New York speech of Yancey, also in the appendix, gives it three pages (pp. 310-312). Mr. Fite, moreover, is absolutely blind to the special

attempt of the Republicans to adapt their arguments to the laboring man, although that was the most marked feature of the contemporary anti-slavery campaign, and the above-mentioned speech by Schurz is its best exemplification. Nor is it that these speeches are left to tell their own story, for they are referred to (p. 186, etc.) and quoted (p. 182, etc.) on other subjects. There is no discussion of the results of the election except for the statement that Lincoln was elected. One is left to suppose that the election determined the Civil War and the line of division.

It seems scarcely courteous of Mr. Fite to state, as he does in his preface, that presidential campaigns "strangely enough . . . have hitherto been neglected as subjects for historical investigation". Mr. Rhodes's account of this period is three-quarters as long as Mr. Fite's and is a history of the campaign. Mr. Rhodes's account doubtless needs supplementing and review along several lines, and one of these is that of popular discussion. It is this niche which Mr. Fite's book might be supposed to cover, but it is not a history of the campaign, and it is not sufficiently ripe.

CARL RUSSELL FISH.

Diary of Gideon Welles, Secretary of the Navy under Lincoln and Johnson. With an Introduction by JOHN T. MORSE, jr. In three volumes. (Boston and New York: Houghton Mifflin Company. 1911. Pp. liii, 549; xvi, 653; xv, 670.)

FOR many years the existence of this Diary in manuscript has been well known. It afforded the basis for upwards of twenty articles—mostly on affairs under Lincoln—which Mr. Welles contributed to the *Galaxy* or the *Atlantic Monthly* from time to time between July, 1870, and April, 1878. Mr. Nicolay was permitted to see the Diary and to make a few extracts from the manuscript while he and Mr. Hay were preparing their elaborate study of Lincoln's career. But Mr. Nicolay was obliged to consult the Diary in Hartford under some restrictions. Almost thirty-two years after Mr. Welles's death, portions of the Diary began to appear in the *Atlantic Monthly* of November, 1909. Ten instalments in as many succeeding issues of the magazine, covering the period of the Civil War (July, 1862–April 22, 1865), were followed in February, 1910, and the eleven subsequent months, by other instalments on the period of Reconstruction (April, 1865–April 17, 1869). Comparison of the *Atlantic* text with the final and greatly extended text now published reveals the anonymous hand of a careful, if not expert, editor bent upon giving the reader as far as possible Mr. Welles's own words. The reader, we are told, "may have full confidence that the text of the diary has been in no way mutilated or revised". It seems fair, accordingly, to assume that no attempt has been made to produce a better piece of literary workmanship than was left by the author.

The opening section, *The Beginnings of the War* (I. 3-69), is an account, prepared by Mr. Welles "several years after the events narrated", of a variety of incidents selected without strict regard to continuity over a period of about a year, the first year of Lincoln's term. Differing in no marked respect from Mr. Welles's customary style, it may have been originally planned as the beginning by Welles of a sketch for a possible history of the Lincoln-Johnson epoch. It serves at any rate as an appropriate precursor to the *Diary* proper.

The *Diary* records, for the most part in a vigorous way, many reflections of men and incidents, and covers a period of about seven years (July, 1862-June 6, 1869). There are 766 pages of comment, inclusive of the impressive and important record of the Lincoln tragedy (II. 280 ff.), on Lincoln's administration. There are 946 pages which throw light on the inside workings of Johnson's troubled term.

On the whole the records under Lincoln afford the most interesting reading. Mr. Welles himself depended on them for most of his *Galaxy* articles. Nicolay obtained a few of the more important of them, occasionally printing exact transcripts where it served his purpose. But it is a matter of large consequence to all students of the war epoch that the Secretary of the Navy's reflections on emancipation, on the beginnings of the policy of reconstruction under Lincoln, and on such figures as McClellan, Halleck, Meade, and Grant, as well as on Seward, Stanton, Chase, and other Cabinet associates, should be accessible for consultation and consideration. These are not history, but they constitute the sort of material out of which the narrative of history is made—colored, vitalized, and strengthened. While Welles leaves Stanton very much as he found him, the most enigmatic and intolerable figure among all the advisers, he had enough appreciation of Seward's ability and virtues to record at many points what would appear to be truthful impressions of him, and so to draw a likeness that cannot be ignored by any future biographer of the Secretary of State. Attention may be directed in this connection to the importance of Welles's detailed record of the Cabinet conference with the Senate committee late in December, 1862 (I. 194 ff.)—one of the most extraordinary incidents in the movement to force Lincoln to dismiss the Secretary of State. This record becomes all the more interesting and significant if compared with Senator Fessenden's contemporary notes on the same incident, written from a different point of view and printed five years ago in Francis Fessenden's *Life and Public Services of William Pitt Fessenden* (Boston, 1907), I. 231-253.

The second portion of the *Diary*, which follows the account of Lincoln's death in Washington, is likely to prove the more valuable contribution to history. Here one gets many discerning impressions of the development and failure of Johnson's ideal of reconstruction, the story of the veto of the Tenure-of-Office bill, comments on the suspension of Stanton, severe reflections on the growing ambition of Grant for political honors, glimpses of Stanbery, Evarts, and Sumner, together with

some of the inside and complicated history of the impeachment process. Above the details of Cabinet discord, Congressional bickerings, and the miserable squabbles of hostile and ill-natured partizans both in and outside Congress, there stands forth in Welles's pages the figure of Andrew Johnson. The portrait is essentially a new one done by a friendly and intelligent hand. It is sufficiently definite too to impel careful students of the man and the peculiarly grave problems which confronted him to reconsider such impressions of him as they may already have gained from other sources. It is not apparently a conscious defense of Johnson, an attempt to rescue his memory from the oblivion which his enemies hoped might overtake it. On the contrary it is drawn incidentally and gradually as the acquaintance and intimacy grew. There is no effort to deny weaknesses: Johnson's persistent reticence with his advisers, his intellectual hesitancy often followed by rash and precipitate decision and action are frequently dwelt upon. What Welles admired and set forth was the evidence of Johnson's loyalty to constitutional principles. He found his state papers often illuminating. Of measures he reckoned him a good judge, but not of men.

Of Welles's own ability as a Cabinet councillor, his alertness to principles, his insight into men, and his industry, the *Diary* affords much evidence. A journalist by training, and for years before 1861 accustomed to keeping a diary, Welles had become habituated to the uncritical use of caustic phrases and characterizations. He could not rid himself of modes of expression that are certainly often misleading and untrue to his deeper and real convictions. The *Diary* might well serve as a challenge to a biographer to try his hand at a portrait of the Secretary of the Navy, for without it such a portrait has been hitherto impossible.

This final text of the *Diary* suggests one very important problem of the "higher criticism". In view of the activity of Mr. Welles as a writer during the last eight years, when he had retired from public life to his Hartford home, did he, it may be asked, revise the original records of this *Diary* or, at any rate in some instances, elaborate them? Two passages, among others, will serve to make the reasonableness of this query evident. (1) No account is taken in the opening section (admittedly written some years after the events narrated) of the Trent Affair. The first important allusion, indeed almost the only one in the *Diary*, to that episode occurs under date of May 12, 1863 (I, 299). There he writes of Wilkes's "strange course in taking Slidell and Mason from the Trent". Seward, he adds, "at first approved the course of Wilkes in capturing Slidell and Mason, and added to my embarrassment in so disposing of the question as not to create discontent by rebuking Wilkes for what the country approved. But when, under British menace, Seward changed his position, he took my position, and the country gave him great credit for what was really my act and the undoubted law of the case." This is so obviously unfair to Seward and out of accord with

Welles's own careful statements that the attention of the unwary reader might have been briefly called to these statements ("The Capture and Release of Mason and Slidell", *Galaxy*, May, 1873, XV. 640 ff.; *Lincoln and Seward*, pp. 184 ff.). (2) The second passage is a long series of reflections on the course of New York party politics with extended comments on the history of the Albany Regency (October 7, 1867, III. 223-229). It is too long to quote. It is the sort of subject in which Mr. Welles had been much interested for a great many years and on which he had often expressed himself in editorials long before he was called into the Cabinet. A careful reading of it will show that it was probably written after Johnson's administration. At any rate it appears to the reviewer to be a passage not likely to have been written under the date given.

Mr. Morse's Introduction gives an excellent sketch, not always quite accurate, of Mr. Welles's life. The index, by Mr. D. M. Matteson, is ample without being exhaustive. A few incidental references to Calhoun (I. 376; III. 52, 223) might have been included. The one serious omission noted in the index is the failure to include any direct reference to Charles Sumner; a page has, at this point, fallen out, but the publishers stand ready to supply it. Otherwise, the book is a carefully printed and sumptuous work.

HENRY BARRETT LEARNED.

The Tariff in Our Times. By IDA M. TARBELL. (New York: The Macmillan Company. 1911. Pp. ix, 375.)

AT a time when the perennial tariff question seems to be more prominent than usual this volume, appearing originally as a series of articles in the *American Magazine*, is most opportune, especially as it deals with a phase of the subject which, though of great importance, has never yet received adequate attention. The two leading books previously available covering this general subject were Taussig's *Tariff History of the United States* and Stanwood's *American Tariff Controversies*. The former dealt with the subject primarily from the point of view of economics, studying the economic basis and results of protection; and on that side it still retains the pre-eminently authoritative position it has always held. The latter volume, written with a distinct protectionist bias, was primarily devoted to the political history of the tariff. Though at the same time it discussed to some extent the economic aspects of the question this discussion was unsatisfactory, being superficial, uncritical, and partizan. Miss Tarbell gives her chief attention to still another phase of the problem, one which might well be called the moral history of the tariff. As such it is a distinct and highly desirable addition to the literature of the subject.

The tale begins, as Miss Tarbell takes it up, with that abrupt change in our tariff which came with the Civil War. Under pressure of the

financial difficulties which then beset the government the tariff duties, always the chief source of revenue, were advanced to an unprecedented figure. It was commonly understood that this was only a temporary arrangement. But the manufacturers and other beneficiaries once having enjoyed these advantages and adjusted themselves to the new high level of duties not only clung to them with the greatest tenacity, resisting all attempts at reduction, but even demanded more. As a result the last half-century of our tariff history has witnessed a tendency towards a still higher level of duties finally culminating in the Dingley Tariff of 1897, a movement only interrupted by spasmodic and ineffectual attempts at reduction. The story of how these attempts were blocked by keen political manoeuvring or wire-pulling, how special interests secured more protection, how bargains were made, how schedules were secretly manipulated, how in one way or another through all these years economic principles—yes, even protective principles—were ignored and “public opinion was never embodied in the bills adopted” while private interests and the desires of small groups of producers ruled supreme; in brief the ethics of actual tariff-making constitutes the narrative of this volume. The study, which appears to be based primarily on Congressional debates, tariff hearings, biographies, and contemporary newspapers, has been made with care and thoroughness. The history is vividly told and the human element adds much to its interest. The statesmen, lobbyists, political bosses, and others actively engaged in moulding the tariff schedules pass by in rapid succession. From Morrill, Randall, “Pig-Iron” Kelley, Blaine, Morrison, and all the others of the earlier days down to Whitman, Aldrich, and the group of to-day, the characters are deftly pictured with a trenchant and critical pen, keen to attack any act of selfish interest. It is a sordid and disheartening tale, perhaps a bit overdrawn at times, but one at which the sincere and scientific protectionist will be quite as downcast as anybody else. Certainly one who reads this narrative will be strongly inclined to agree with the author’s own conclusion that “simmered down to its final essence the tariff question as it stands in this country to-day is a question of national morals, a question of the kind of men it is making”.

It is when treating the subject from this ethical standpoint that the author is at her best, and that is excellent. But when the proving of her point involves study of the economic aspects of the tariff the treatment is less satisfactory. The general trend of her conclusions is as a rule economically sound, yet there is lacking that keen analysis of the many factors involved in the problem and the careful limitation of sweeping conclusions which accurate scholarship might demand. Thus, is it not putting the case rather strongly, to say the least, when it is stated that the Morrill tariff bill “was the chief reason the Confederates had for thinking their new government would succeed” (p. 8), or when it is declared that legislation only affects the distribution and not

the production of wealth (p. 52)? Similarly we find signs of that tendency always present in tariff discussions greatly to exaggerate the influence of the tariff, as when the high duty on iron and lumber is alone held responsible for the decline of shipbuilding (p. 62). Again it may be noted that exactly the same line of reasoning used to condemn the tariff because of the conditions in Rhode Island for which it is impliedly held responsible (pp. 336-349) could be used with equal justice if applied to England to prove the damning effects of free trade. Whether the cause of a scientific tariff will be promoted by reasoning of this character is seriously open to question.

But in the case of a book of this type, intended to arouse the public to realization of a serious evil, one is not justified in pushing such criticism further. Laborious attempts at accuracy of detail soon weary the general reader and carefully modified statements blunt his enthusiasm for reform. Especially may such criticism be disregarded since the line of attack on moral grounds here chosen will appeal most quickly to the public ear and, in the present state of sensitiveness on problems of this sort, will most readily secure the desired reaction. For these reasons it is to be hoped that this narrative of the much-neglected ethics of tariff legislation will have the widest circulation.

CHESTER W. WRIGHT.

Twenty-Seventh Annual Report of the Bureau of Ethnology to the Secretary of the Smithsonian Institution, 1905-1906. The Omaha Tribe. By ALICE C. FLETCHER and FRANCIS LA FLESCHÉ. (Washington: Government Printing Office. 1911. Pp. 672.)

OF all the Indian tribes whose industries, religious rites, or social institutions have been investigated and reported upon by the Bureau of Ethnology, none, perhaps, has received fuller and abler treatment than the Omaha. In the third annual report appeared Dorsey's *Omaha Sociology*, a pioneer effort of great merit, and now in the twenty-seventh comes Fletcher and La Flesché's *Omaha Tribe*, which is virtually an elaboration of, and a supplement to, the earlier work. The value of this book, as of its predecessor, is almost exclusively ethnological, for the history it contains is so meagre and so scattered as to be almost unrecognizable. In one instance, however, history or what pretends to be history, has been fairly dragged in and for no other purpose, apparently, than to enhance the tribal importance of the La Flesché family; this would have been somewhat excusable under the circumstances, had facts been strictly adhered to and the whole story told.

We refer to the biography of Joseph La Flesché, who was a half-breed Ponca, the adopted son of Big Elk the Second, head chief of the Omahas. Our authors, not on their own authority, but on the authority of a single Indian, Wa-je-pa, calmly assert Joseph La Flesché

to have been an Omaha, which is somewhat surprising, considering that, at the time of his attempted usurpation of the Omaha chieftainship, he was opposed on the ground that he was a Ponca, and considering that Rev. J. Owen Dorsey, who knew him intimately, called him unreservedly a Ponca and met with no denial from Joseph La Flesche himself who was then yet alive. Our authors, moreover, permit the reader to get the impression that Joseph La Flesche was the legitimate successor of Big Elk and innocently fail to record his deposition in 1865, although they admit that his installation was incomplete. Undoubtedly Joseph La Flesche, strong-willed, arrogant, and progressive, was largely responsible for the tribal dissensions that compelled the United States government to recognize "paper chiefs", and for the political disintegration that found its climax in the abolition of the ancient chieftainship in 1880.

Fletcher and La Flesche, like Dorsey but not so clearly or so positively as he, attempt to trace the migratory movements of the Omahas, who, in the company of their close cognates of the Siouan group—the Quapaws, Kansas, Osages, and Poncas—journeyed, at some indeterminate time, westward towards the Mississippi—an undivided band. At the mouth of the Ohio came the first tribal parting; for the Quapaws broke away and went down the stream, hence their name, while the others continued their course north and west. The next to break away were the Kansas and Osages and the last, the Poncas "on or near the Missouri River". The Omahas had by that time come into contact with the Arikara, of whose territory—Nebraska—they took possession. There they are to-day, exceptional Indians, in that, comparatively speaking, they have been little molested and have given little offense.

Fletcher and La Flesche, in their general avoidance of historical matter, have little to say about the great characters of Omaha history. They pay practically no attention to the remarks of early travellers—Bradbury, Long, Maximilian, and others—who found the Omahas such an interesting people and noted their customs. The renowned and oratorical Om-pa-ton-ga, Big Elk the First, comes into their story only incidentally and in one place seems to be confused with his almost equally great namesake. Two Crows, who, together with Joseph La Flesche, furnished Dorsey so much of his material, is pictured but not used as an authority; yet Two Crows was of the Honga gens and, if Fletcher and La Flesche give something concerning that gens or concerning its hereditary charge—the Sacred Pole—at variance with what he told Dorsey, we ought surely to know the source of their information and at least hear of Two Crows, especially since we are constantly hearing of Joseph La Flesche. The chief faults of their work are here hinted at—persistency of family emphasis and lack of references. Much as we should like to take what they say on faith, we are professionally obliged to refuse to do so. We also find it difficult to do their narrative justice because it is so rambling and so disorganized. The

patient reading of it, however, is adequately rewarded in all other respects. It is interesting in the extreme.

The Leading Facts of New Mexican History. By RALPH EMERSON TWITCHELL. Volume I. (Cedar Rapids, Iowa: The Torch Press. 1911. Pp. xxi, 506.)

WITH its elaborate foot-notes, bibliographies, and facsimiles of manuscripts, this beautifully printed and bound book conveys at first sight the impression that it is the result of much original investigation, and as such it has been represented by uncritical reviewers. But closer examination shows that it is nothing of the sort. The book is, as a matter of fact, purely a compilation, and of the simpler kind, most of the text being either a close paraphrase or a direct copy of two works. If the borrowing had been duly acknowledged, the book would have been welcomed and judged on its merits as a compilation; but it is unfortunately the case that the compiler, while making much show of citation and quotation of supplementary matter in the foot-notes, has, either in ignorance or flagrant disregard of literary ethics, in the main concealed the sources from which he copied or paraphrased the text, and much of the foot-note matter as well, thus creating an impression of independent work which he did not perform. Nor is he relieved of this charge in any important measure by his prefatory remark that "a great deal of the work . . . may best be termed editing", or by an occasional observance of the proprieties, which only serves to further mislead.

Such a statement as this cannot be made without at least an indication of the evidence on which it rests, and to this end most of my space will be devoted. Chapters II., III., and IV. of the book in question deal with the early Spanish exploration of New Mexico. On reading the foot-notes and bibliographies one misses references to Lowery's very pertinent work, *The Spanish Settlements within the Present Limits of the United States, 1513-1561*. A more careful reading, however, shows that Mr. Twitchell has by no means overlooked it. Indeed, the greater portion of the text of the one hundred ninety-nine pages comprised in these chapters is taken almost bodily from book II., chapters III., V., and VI. of that book, but absolutely without credit, for neither the name of Lowery nor of his book receives mention in the work. The order of presentation is identical, with few exceptions, through paragraph after paragraph, page after page, while there are hundreds, if not thousands, of identical phrases, sentences, and even large portions of paragraphs, without a single acknowledgment. Chapter III., for example, on Fray Marcos de Niza, is a paraphrase of Lowery's chapter V. By actual count one hundred fifty-nine identical phrases or sentences were found in identical connections, although the chapter contains only about ten full pages of text; nor does this state-

ment give an adequate impression of the closeness of the paraphrasing. Very clearly Mr. Twitchell regards Lowery as a reliable translator as well as a safe historian, for the identity extends to numerous extracts translated from the Spanish. In these cases Mr. Twitchell generally cites the same originals as Lowery (except occasionally, as where Lowery's reference to Mota Padilla 111 somehow becomes "Mota Padilla, 3"), but Lowery never.

Lowery's book reaches only to 1561, and Mr. Twitchell's anchor for the remainder of his text is Bancroft's *Arizona and New Mexico*. In this case the compiler's shortage of quotation marks is less obvious, because due credit is given here and there for portions borrowed—in the very paragraphs, indeed, where much greater portions are taken without credit.

Less attention has been paid by the reviewer to chapter I., dealing with ancient New Mexico, but a casual examination shows that most of pages 4-7 and 42-50 were taken almost verbatim and altogether without credit from Hodge's *Handbook of American Indians* (part I, pp. 171-172, 305-309, 108-109, 327).

As has already been intimated, the method above described extends in liberal measure to the foot-notes, also; and this applies not merely to citations, but to comments and important conclusions as well. For example, more than seventy of the notes in the last one hundred fifty pages were traced directly to Bancroft's *Arizona and New Mexico*, though no credit is given to that work. An instance, which could be paralleled by others, is note 362, where eighty-seven lines, consisting of a summary based on Vetancurt, are taken verbatim from Bancroft, pages 172-173, although the citation is to the original Spanish work. The only other explanation possible would be that two independent writers could give identical summaries of a lengthy passage in a foreign language. Again, on pages 344-412 at least twenty-three notes which purport to be the result of independent work in the sources were traced directly to Bandelier's *Final Report*, parts I. and II.

Another remarkable feature of the work is the citation of rare manuscripts. From the frequency of these citations and the extended comment on manuscript sources in the Prefatory Note, the reader would infer that Mr. Twitchell had really used a great deal of this class of material, in addition to printed works. But appearances are misleading here also. To begin with, many of the first-hand citations are to manuscripts in the private collection made by Mr. H. H. Bancroft, to which, we know, Mr. Twitchell never had access. In these cases, naturally, the citations can all be traced directly to Bancroft's *Arizona and New Mexico*. If space permitted, it would be easy to demonstrate by the pagination and titles of the manuscripts cited that such is the case with his references to the "Pinart Collection", notes 346, 355, 413, 445, 446; to "N. Mex. Doc.", notes 375, 461, 462, 465, 470, 474, 475; to Otermin's "Extractos", notes 349, 375, 376; to Bonilla's "Apuntes",

note 465; to Morfi's "Desórdenes", note 482; to Menchero's "Declaración", note 465; and to "Moqui, Noticias", note 437. Mr. Twitchell evidently did not know that many of these citations refer to Bancroft's personal note-books, and not to the pagination of the documents in any archive; or that some of the titles are designations given to documents by Bancroft, and are applicable only to his own collection.

Again, on the period of the Pueblo revolt and the reconquest by Vargas, Twitchell not only cites first-hand but gives extensive extracts from the manuscripts entitled "Ynterrogatorio de Preguntas", "Parecer del Fiscal", "Diario del Sitio", "Diario de la Retirada", "Protesta á Don Diego de Vargas", "Carta al Padre Morfi", "Memoria del Descubrimiento", "Petición de los Vecinos de Albuquerque al Cabildo de Santa Fé", "Certificación de los Huezos del Venerable Fray Juan de Jesus", "Estado de la Misión de San Lorenzo el Real", "Autos del Año de 1694", "Relación Sumaria de las Operaciones Militares del Año de 1694", Escalante, "Relacion del Nuevo Mexico", and "Autos de Guerra, 1696". These extracts, with references directly to the manuscripts, should create the presumption that Mr. Twitchell had used a considerable body of fundamental manuscript sources for this period. But the impression is modified when we learn that in every one of the twenty-five cases in which the quotations were tested, the identical extracts, with the identical references to the manuscripts, and usually with the identical notes and comments, were found in Bandelier's *Final Report*, parts I. and II., though no reference is made to that scholar's work. Mr. Twitchell may have had access to these documents, but no evidence has been found that he made any independent use of them.

Such a method of appropriating the results of the work of others can be regarded in only one light by scholars; and it is due to scholars that a protest be made against its employment by those who know better, and that books produced by it by those who do not, be represented in their true light. Hence this review.

After the above statement of the sources and workmanship of Mr. Twitchell's book, it hardly need be said that, although it is a useful compilation, it adds little to our knowledge of the history of New Mexico.

HERBERT E. BOLTON.

Fifth Report of the Bureau of Archives for the Province of Ontario. 1908. By ALEXANDER FRASER. "Sondake Ehen" or *Old Huronia*. By ARTHUR E. JONES, S.J., Archivist of St. Mary's College, Montreal. (Toronto: King's Printer. 1911. Pp. xxxii, 505.)

THIS fifth report of the Ontario Bureau of Archives, under the guidance of Alexander Fraser, is devoted entirely to "Sondake Ehen" or *Old Huronia*, by Rev. Arthur E. Jones, S.J., the Archivist of St. Mary's

College, Montreal, who has embodied in it the results of years of personal investigation and research. "Old Huronia"—practically the County of Simcoe, in the Province of Ontario, was the home of the Huron Indians during the first half of the seventeenth century, including the period from 1615 to 1650, *i. e.*, from the coming of the Catholic missionaries down to the abandonment of St. Joseph's Island, after the destruction of the Huron villages and the more or less complete annihilation of the "Nation" by their fierce and warlike kins-men, the Iroquois. The identification of the numerous village sites of ancient Huronia, representing at one and the same time native culture and Christian influence, has been one of the most interesting historical and archaeological problems within the borders of the Dominion.

Of prime importance for solving the questions involved is the inset map (earlier than his general map of 1660) of Ducreux's *Historiae Canadensis Libri Decem* (Paris, 1664), which contains the names and apparent locations of the Huron settlements, and the present volume is the most thoroughgoing discussion in print of the historical, linguistic, and archaeological evidence, old and new, which may be thought to shed light upon these seventeenth-century Hurons and their migrations within the rather limited area occupied by them. Father Jones's monograph is not intended as a history of the Hurons or of the missionaries. Part I. (pp. 1-266) is concerned with the identification of the various village sites, with a section (pp. 167-213) on the derivation of the Huron place-names. Part II. (pp. 269-413) is a chronological record of the Huron missionaries and mission-centres, year by year, from 1615 to 1650. As an appendix or supplementary chapter (pp. 417-458) Mr. Fraser has added the article on the "Huron Indians" by Father Jones, in the *Catholic Encyclopaedia*. In 1898 Dr. Jones contributed to volume XXXIV. of Dr. R. G. Thwaites's *Jesuit Relations and Allied Documents* a "Theoretical Map of Huronia", and the work under review has a map of the "Huronian of the Relations" made in 1906; the former was based upon documentary evidence only, while the latter is the result of "a topographical investigation and a careful personal inspection of all the principal sites". The volume has a good index and the table on pages 408-413 showing volumes, chapters, and pages of the Quebec edition of the *Relations* and the corresponding volumes, chapters, and pages of the Cleveland edition may be also of service. Among the illustrations are reproductions of a number of water-color sketches by Father F. Martin, who visited this region in 1855.

Some of the more interesting points brought out by Father Jones are as follows: the *Arontacn* of the *Relations* was the *Carhagouha* of Champlain (p. 51); Champlain's "Little Lake" was Lake Couchiching and not Bass Lake (p. 83); St. Jean and St. Jean-Baptiste are quite distinct (p. 89); St. Ignace II., important as the scene of the martyrdom of Brébeuf and Lalemant, was not on the Newton Farm (this was the site of St. Louis), but on the Campbell Farm (east half lot 4,

concession VII.); the discovery of *Ekarenniondi*, the famous "Standing Rock" of the Petuns, near which, but probably in Grey County, was their village of the same name, is a personal achievement of Father Jones (pp. 241-248)—an attempt to discover the site of *Etharita*, or the St. Jean of the Petuns, not far from St. Mathias (*Ekarenniondi*), was unsuccessful. The *Caldaria*, given on Ducreux's inset map as the name of a Huron settlement, has been a *crux* for historians, but the author is probably right in seeing in it the equivalent of the French *sucres*, the well-known "sweat-houses" or hot baths of the Indians (p. 157), *i. e.*, unless the word be a misprint for Huron *Katdaria*, "The Little Circle of the Dead". An interesting fact (p. 163) is the existence, outside Huronia, in the Algonkian territory, of two settlements bearing Huron names, *Endarahy* and *Tangouacn*, both mentioned in the *Relations* for 1646. In his interpretations of Huron place-names Father Jones had made use of the manuscript, "Elementa Grammaticae Huronicae" and "Radices Huronicae" of Father P. Potier (died 1781), works completed between 1743 and 1751 and now in the library of St. Mary's College. It is needless to say that some of the etymologies suggested are subject to revision. It is with regret that one learns (p. 171) that "Huron is a dead language", for "the last Indian who could speak the language, Chief Bastien, died some years ago at Lorette".

ALEXANDER F. CHAMBERLAIN.

Documentos Históricos Mexicanos: Obra Conmemorativa del Primer Centenario de la Independencia de Mexico. La publica el Museo Nacional de Arqueología, Historia y Etnología, bajo la Dirección de GENARO GARCÍA. Tomos I-VI. (Mexico: Museo Nacional. 1910. Pp. xix, 508; xiii, 564; xxii, [440]; xx, [585]; xv, 523; xiv, 590.)

THIS monumental collection is worthy of the important occasion which it commemorates and of the scholarship of its distinguished editor, from whose activities there has resulted a steady stream of historical works since the publication some ten years ago of his much-praised *Carácter de la Conquista Española*. The present work was prepared under the authority of the Secretary of Public Instruction and printed by the Museo press. The six volumes are the first of eighteen, as the series was projected, but it is not known whether, in view of Señor García's resignation from the directorship of the Museo, the remaining volumes will be printed or not. While the editing was done by Señor García, the production is the result of the combined efforts of a large corps of workers. The gathering of the documents, apart from those coming from the editor's personal collection, was done by a staff of seven, not counting the copyists, directed by Señor Ignacio B. del Castillo and including such experienced workers as Canon Vicente de P. Andrade and Señor Elías Amador. The illustrating was com-

mitted to five artists and the chief photographer of the Museo. With this large force it was possible to produce the six volumes in less than three years.

In a large measure the documents included in the collection have been hitherto unpublished, or have been practically inaccessible, and in this respect are a positive addition to available materials for the study of the Mexican revolution. The chief exceptions to this rule are the first document in tomo I. and those included elsewhere which are also printed in the collection of Hernández y Dávalos (Mexico, 1877-1882). Aside from these and the materials printed in tomos III. and IV., the greater portion of the documents are from the original manuscripts in various archives. The majority of them are from the great central collection, the Archivo General y Público, but the editor drew also upon his private collection, the Archivo General de Notarias, and the archives of the Sagrario Metropolitano, the Escuela Pública "Lic. Verdad", the Parroquia del Arcángel San Miguel, and the Museo Nacional.

Tomos I. and II. contain documents relating to plans for independence before 1810. The first piece in tomo I. is a report of the trial of Judge Workman and Colonel Lewis Kerr, members of the Sociedad Mexicana, held in the United States district court at New Orleans in 1807. It is printed from a manuscript translation found in the papers of Viceroy Garibay after his death. The case was published in English in 1807 (see *Trials of Workman and Col. Lewis Kerr for planning an expedition [against] Mexico*, New Orleans, 1807). Besides this interesting document there are in the same volume the trials at Mexico of Lic. Julián Castillejos, Fr. Miguel Zugaste, the trial at Valladolid of José María García de Obeso and the Michelenas, and the investigation at Mexico of the conduct of the Marqués de San Juan de Rayas.

Tomo II. contains documents relative to the insurrection of 1808 at the capital, headed by Lic. Francisco Primo Verdad y Ramos, Lic. Juan Francisco de Azcárate y Lezama, and Fray Melchor de Talamantes. These documents were nearly all furnished by Señor García himself, having been used in the preparation of his monograph on *El Plan de Independencia de la Nueva España en 1808*. The one hundred and thirty-two pieces cover the antecedents and the development of the plan, the deposition of Viceroy Iturrigaray and other repressive measures, various accounts of the conspiracy, and other related matters.

Tomos III. and IV. consist of facsimile reproductions of insurgent periodicals published during the revolution. One is at first surprised at the small amount of printing of this class during the war, for Señor García was able to put in the two volumes—a little over a thousand pages—all of the numbers of all the sheets he could find. Only twelve publications are represented, and the total number of issues is less than one hundred and sixty, or an average of thirteen each. The paucity of

these sheets is not so hard to understand when we are reminded by the editor that printing was at best an unusual thing for the Mexican people at the time, that the insurgents were without presses, type, ink, and experienced printers, that it was treason even to have revolutionary periodicals in one's possession, and that all that could be found were burned by the royal hangman. It would appear that Señor García did not go outside the republic in his search for these papers, for the Bancroft Library, at the University of California, possesses two sheets which are pertinent to the collection but which it lacks. These are two supplements (*Alcance Cuarto* and *Alcance Quinto*) to no. 18 of *El Mosquito Tulancinguense*, of which Señor García says he was unable to find a single number. They were printed at Mexico ("Inprenta de los ciudadanos militares independientes D. Joaquin y D. Bernardo de Miramon"), dated October 12 and October 21, 1821, respectively, and signed by Gerónimo Torrescano.

The successful reproduction of these rare documents in facsimile is a noteworthy example of what can be done in this line, and one which deserves to be extensively followed in the reproduction of manuscripts.

Tomo V. is dedicated to the insurgent women of the era of independence. For this task also Señor García was well fitted, through the preparation a short time ago of his work on *Leona Vicario, Heroína Insurgente*, which was based to a large extent on the documents here published. Nearly two-thirds of the volume is devoted to Leona Vicario, the most noted of the insurgent heroines. In addition to her name and that of Doña Josefa Ortiz, the present volume makes known the careers of a score or more of others who deserve remembrance.

Tomo VI. is devoted to trials of insurgents during the years 1811-1812, all printed from the original manuscripts in the *Archivo General y Público*. The most important single document is the record of the trial of Ignacio Allende, "the first disturber of the peace of this America". Others of interest are the trials of Lizardi, Prado, James Ora (Anglo-American), Tinoco, de Luévano, Oronoz, Fray Sebastián Manrique, and Presbyter Javier Dávila y Bravo.

The editing of the volumes is well done. Each volume contains a brief but satisfactory introduction; the original texts were faithfully followed in the printing, editorial emendations being indicated by parentheses. We especially commend the good index in each volume, a feature too often lacking in Mexican books. More editorial notes would have been welcome, but we can better spare them than the additional documents which Señor García was enabled to publish by the saving of time which minute editing would have cost. It would have been more helpful had the editor given archive citations.

A notable feature of the work is its illustrations. The drawings get their inspiration from native Mexican civilization and colonial architecture; besides these there are plentiful portraits and photographic

representations of historic documents, signatures, buildings, and scenes connected with the revolution, all together giving the work, as the editor designed, a national character highly appropriate to the occasion. The printing and paper are excellent.

HERBERT E. BOLTON.

MINOR NOTICES

La Synthèse en Histoire: Essai Critique et Théorique. Par Henri Berr, Directeur de la *Revue de Synthèse Historique*. (Paris, Félix Alcan, 1911, pp. xvi, 272.) Almost everyone who busies himself with history professionally finds his mind turning now and then to the question of the precise nature and purport of his work; to a consideration of the meaning of the vague words of which he and his fellows make use, such as "cause" and "law", "progress" and "decline"; to the fundamental contrasts between the natural and historical sciences; and above all to the final end and aim of historical investigation and of the accumulation of accurate information in regard to the past of mankind, and the bearing of these upon our understanding of life and our competence to conduct it properly. To these problems M. Berr addresses himself and his book is valuable not only as a statement of his own answers but as a brief *compte rendu* of the general lines of discussion at the present time. He realizes that "scientific" history disappoints the intelligent public, and even some of its own adepts, since it fails too often to be either amusing or edifying. The synthesis of mere learning he believes to be in a hopeful state of advance but the higher "scientific synthesis", as he calls it, cannot proceed without a reconsideration of the terms so carelessly and uncritically employed by historians. In his discussion he hopes to steer a wise middle course between those who contend that the accumulation and cataloguing of facts exhaust the legitimate aspirations of the historian and those, on the other hand, who, like the older philosophers of history, were more or less indifferent to what had actually taken place.

The book requires the type of attention that one must give to a work on philosophy and in the present state of historical study in the United States few there will be who will have the patience to read it and still fewer will feel that they have fully understood it. After an interesting and instructive discussion of the general question of historical synthesis he reaches the question of the elements which enter into the highest form of historical presentation. He first takes up, under *La Contingence*—slipperiest of words—chance; personal, collective, geographic, temporary, and momentary individuality; and *Völkerpsychologie*, which he characterizes as "complexité d'éléments et confusion". Then comes *Necessity* and its domain, especially as the term is used in recent sociological discussions. Under the caption *La Logique* the writer undertakes to purify the older conception of final causes and assign to them their proper place beside contingent and necessary

causes. He deals with the struggle for existence; with the origin of social consciousness and its implications; with the "inventor", whether in the field of morals or in that of industry; with primitive mentality—*le prélogique*; with religion and the origin of its concepts; with magic and the beginnings of science; and, finally, with the nature of civilization and the scope and methods of the history of ideas. He closes his volume with a brief forecast of the future of history. The writer describes his general aim to be, "recueillir et coordonner ce qu'il y a de meilleur et de complémentaire dans la pensée de quelques Français éminents": Taine, Cournot, Tarde, Lacombe, Durkheim; and there is no reason why one reading his book carefully should not find himself well oriented in this field of speculation; indeed not a few readers will realize that their curiosity has been satiated long before they reach the concluding paragraphs.

J. H. R.

A Short History of War and Peace. By G. H. Perris, Membre de l'Institut International de la Paix. (New York, Henry Holt and Company; London, Williams and Norgate, 1911, pp. vi, 256.) Peace literature is daily becoming more abundant and is appearing in all known forms. The greater part of it is what such literature has been in the past, an expression of feeling or opinion. Altogether too little of it rests upon the solid foundation of established fact, though war and its consequences offer a large field for research.

This booklet does not escape the fault implied in the lines above. Its author is a pacifist, and he is a newspaper man; these facts account for the writing of the book and its character. There is nothing original about it, as appears even from its title; which by the way is not at all descriptive of the contents of the book, ten chapters of which (there are eleven) are an epitome of general history written in literary style. There is a wealth of fact and allusion in them but they can hardly be said to touch war or peace especially, except that most of the important wars and battles of history are mentioned. It is not that the facts here listed are incorrect but that the author's purpose in listing them is not apparent; unless, indeed, to state at the beginning of an all-inclusive chronological table what it is supposed to show, be enough to give it meaning.

From what has been said it must appear that the reader and the cause of peace will gain little from these first chapters. Therefore, let all readers omit them and get at what is worth while in the book, the last chapter. This to be sure is only twenty-five pages long, but it is leavened with a perceptible purpose. It suggestively discusses: (1) the transformation of the character of warfare by the advance in quality and quantity of armament; (2) international credit economy; (3) international capital and labor; (4) the tendency among western nations toward an arrest of population. It is worth reading.

The Notes on Books do not pretend to be exhaustive, and the index is perfunctory.

EDWARD B. KREHBIEL.

The Economic Principles of Confucius and his School. By Chen Huan-Chang, Ph.D. In two volumes. [Columbia University Studies in History, Economics, and Public Law, vols. XLIV., no. 112; XLV., no. 113.] (New York, Longmans, Green, and Company, 1911, pp. xv, 362; 365-756.) Western students of Chinese culture have long entertained hopes that its philosophy and institutions might some day be interpreted to them by Oriental scholars in terms of Occidental civilization. Dr. Chen's elucidation of one phase of the Confucian system may be called the first important contribution to the fulfilment of these hopes, and from its workmanlike method it augurs well for the production in the near future of other treatises on Chinese society by scholars with similar advantages of foreign training. China's age is not more impressive by itself than that of several long-lived empires; her importance to us for purposes of comparative study lies chiefly in the continuance of her antique institutions down to the present time, when we may observe their working and have them interpreted by her own people. Such an opportunity as this offers for understanding ancient societies does not yet seem to be fully appreciated by students of past cultures such as those of Egypt, Persia, or Greece. The accepted theory is that Europe and the Far East, having had no intercourse, afford no common basis for comparison. The appearance, however, of many similarities in their early institutions, and the fact that certain usages which have outlived their usefulness in the West still obtain in the East, suggest an important range of studies for the economist and historian.

The present volume is primarily an examination of the economic bases of the old régime in China; its interest to the historian is hardly less than that of the ancient Semitic and Roman codes to students of the ancestors of our own civilization. It reveals Confucianism as a polity as well as a moral and religious system, and incidentally discloses some of the causes which have made the Chinese state endure. Use of the sources in such an investigation as this involves, however, very careful preparation. The English reader may be shown the cryptic nature of the Confucian text and the necessity of a true exegesis by a single example. A disciple asks the Master how a state should be administered; the reply is: "Adopt the calendar of the Hsia dynasty. Ride the state carriage of the Yin dynasty. Wear the crown of the Chou dynasty. Imitate the music of Shao and Wu. Banish the tunes of Chêng, and keep far from specious talkers. The tunes of Chêng are licentious; specious talkers are dangerous" (p. 74). The meaning of these figures appears to be that the calendar, carriage, and crown of the three dynasties mentioned signify the best agricultural, commercial,

and industrial standards, while music refers to social life, and the last sentence to moral conduct. Once possessed of the key, we discover that the factors in the Sage's dictum are four parts economic to one moral, but the importance of such expansion and interpretation of the text obviously rests upon a correct scientific system. It may be stated, however, that the commentaries and critical apparatus of Chinese classical scholarship are very ancient and complete and that their accepted expositions find favor among competent Western experts. The tone and temper of Dr. Chen's work inspire the reader's confidence in his deductions, a confidence fortified by the endorsement of two such distinguished authorities as Professors Hirth and Seager. The author's arrangement of his book in conformity with conventional English treatises on economics renders it easy of consultation, though the form must not delude one into supposing that the economic content of the *Ching* stands revealed in this way to the common reader. If the work endures the test of such criticism as can be secured only at the hands of his countrymen it gives promise of revealing their own institutions to them to great practical advantage in the reconstruction of the state, and of being accounted an epoch-making performance.

F. W. WILLIAMS.

The Common People of Ancient Rome: Studies of Roman Life and Literature. By Frank Frost Abbott, Kennedy Professor of Latin Language and Literature, Princeton University. (New York, Charles Scribner's Sons, 1911, pp. xi, 290.) This book is by an author who has already given us a valuable series of essays in his *Society and Politics in Ancient Rome*, and the present volume "deals", says the preface, "with the life of the common people, and with their language and literature, and with their social and economic conditions". The two concluding essays however upon A Roman Politician, Gaius Scribonius Curio, and upon Gaius Matius, a Friend of Caesar, have very little relation to the rest of the work, and might well have been reserved for some other volume which the gifted author will some day, doubtless, publish.

The other essays have a greater cohesion and a very peculiar value. Indeed there are no other discussions—of similar scope—upon some of the topics, at least in the English language. If Professor Abbott has not yet mustered the courage to attempt the long-desired history of the Roman Empire, he has at least performed the important task of assembling (here and in his other writings) a fair amount of the preliminary material which is essential to the performance of the greater undertaking. It is useless of course to expect close continuity of subject in the present essays. Among the most valuable topics treated, are How Latin became the Language of the World and The Latin of the Common People. The first named discussion of how Latin achieved that dominion as a literary language which it retained almost

down to modern times, will prove of interest to very many beside specialists. The second attacks a highly obscure and difficult subject and makes it distinctly significant to readers whose bent is for history rather than for philology. In the third essay, *The Poetry of the Common People*, a large quantity of inscriptional evidence is brought together, but one cannot resist the feeling that sometimes the author has made his metrical translations jingle, by reading into them some turns of thought which were not quite in the original. It is well to point out how modern was the life of the Empire, but it seems hardly needful to render, "Here for a *cent* is a drink" (p. 111).

Possibly the most important of the remaining essays is that on Diocletian's Edict and the Cost of Living. Professor Abbott has performed a real service in placing before English readers the substance of the Edict of Prices, and he pertinently calls attention to the "muck-raking" tone of the long preamble (p. 154). It is a fair question however whether a real mistake has not been made in presenting the values fixed by Diocletian solely in the terms of American money. The monetary system of Rome about 300 A. D. was still in such confusion, despite efforts to reform, that over-precise computations in terms of modern money become extremely hazardous. Everything considered, these essays are worthy of an honored place in the library of every scholar.

WILLIAM STEARNS DAVIS.

The Women of the Caesars. By Guglielmo Ferrero. (New York, The Century Company, 1911, pp. x, 337.) This is a book which on account of its popular style of presentation and the fame of its author is bound to have wide circulation. The six chapters, which appeared originally in the *Century Magazine*, are studies of Women and Marriage in Ancient Rome, Livia and Julia, and four other distinguished ladies of the Imperial period, the most important discussions being reserved for the two Agrippinas.

No one will expect such a book to be after the manner of an erudite contribution to *Hermes*, and the author fulfils the requirement of being "interesting" most admirably. Foot-notes and all critical apparatus are omitted, and if the book simply dealt with well-established facts, restated in a clever and untechnical way, not the least criticism could be offered on this point. Unfortunately however the intense subjectivity characteristic of Signor Ferrero's earlier books follows him hither, and many opinions are boldly laid before the unwary as if they were determined facts, when scholars will at once recognize them as highly debatable. The chapter upon the relations of Livia and Julia states many things which we should be glad to have beyond argument. Signor Ferrero is very sure that Julia the Elder was on the whole a much maligned woman, whose real fault was that she was somewhat out of sympathy with her age. Her immoralities are not denied, but

they receive all the whitewashing of a skilful advocate, and her final downfall is attributed to the malevolence of the party of Tiberius rather than to any iniquity of her own. One may properly ask—is it fair to thrust such a restatement of accepted history upon readers who have no means of checking the author's opinions, and who as a rule have no knowledge that another and more sinister view is frequently taken of Julia's character?

Signor Ferrero will find most scholars agreeing with him in his relatively friendly view of Tiberius. He virtually restates Tarver's arguments, albeit more skilfully and more briefly; but why need we be so sure that the fearful prosecutions for *majestas* were mainly inspired by the honest desire of many senators "of intelligence and character" that "the Emperor [should] not be left defenseless against the wild slanders of the great families" (p. 163)?

Perhaps however the keenest dissent will come over the treatment of the younger Agrippina. That hitherto execrated lady is drawn to us as a high-minded heroine, imbued with the old Roman virtue. She did not murder Claudius. Tacitus only "pretends to know" (p. 296) that she poisoned him. This slander Signor Ferrero airily waves aside. (Of similar statements in Suetonius and Cassius Dio he says nothing.) The unlucky emperor simply "died of a mysterious malady", while his wife's alleged iniquities are accounted for by the general malevolence of Tacitus. That important modern writers from Schiller down to Henderson and von Domaszewski accept the death by poison, troubles Signor Ferrero very little. His Italian intuitions teach him more than any German scholarship.

The book, in short, is interesting and stimulating to scholars who are able to take its opinions at their true value. To others it is no safe guide. Tacitus has his undoubted faults, yet his works will be read in ages that will never remember about the clever author of the volume under discussion.

WILLIAM STEARNS DAVIS.

The Cambridge Modern History. Volume XIII. Genealogical Tables and Lists and General Index. (Cambridge, University Press; New York, Macmillan, 1911, pp. 643.) The general scheme of the *Cambridge Modern History* having been brought to a conclusion with volume XII., the present volume is added as a necessary complement to the whole series. The last two-thirds of it consists of a very excellent general index to the whole body of volumes. The first 200 pages contain: first, 112 genealogical tables of ruling and noble houses of Great Britain, France, Germany, and other European and Asiatic states; secondly, 33 lists of popes, spiritual princes, elected sovereigns, presidents of important republics, viceroys, and prime ministers; thirdly, a half-dozen lists of secularized bishoprics, English Parliaments, European universities, and a selection of imperial diets, international congresses and con-

ferences, leagues, and alliances. The genealogies are mostly constructed on simple lines, not extending beyond what is necessary to exhibit the descent of persons actually regnant.

History of German Civilization: a General Survey. By Ernst Richard, Ph.D., Lecturer on the History of German Civilization, Columbia University. (New York, The Macmillan Company, 1911, pp. x, 545.) This book evidently aims at explaining to a foreign public, modern German civilization as a product of national temperament and economic, historic, and other forces. For that purpose, Dr. Richard unrolls the panorama of the entire national evolution, from Germanic origins through the violent vicissitudes of German history, to the present time. The struggles between pope and emperor; the conflicts between northern and southern Germany as emphasized by religious differences; the introduction of Roman law; the deterioration of national character caused by the Thirty Years' War; the pettiness bred by the existence of hundreds of small courts; all these have precipitated problems of a most serious nature into modern Germany. Dr. Richard is especially happy in his characterization of inherent German traits: force to the point of violence; depth of feeling (*Gemüt*); love of enterprise (*Wanderlust*); and—most significant—a marked tendency to lay stress on content. This temperament he follows up through the ages, showing how it appears, in the accentuation of the root-syllable of the word without regard to euphony; later, in the national character of German monasticism; during the sixteenth century, in the attitude towards the Roman Church; during the eighteenth, in the development of German music, in the personality of Kant, and the rise and spread of German idealism; during the nineteenth century, in the character of Bismarck.

The book gathers vigor and vitality as it proceeds, the excellent chapters on the sixteenth century and on Luther being distanced by those on Frederick the Great and on Kant. That portion in which the writer shows that the modern empire rests on a strong sense of national unity, and a happy blending of practical and idealistic tendencies, forms the keystone of the whole book.

The following remarks are meant not as criticisms, but as suggestions. The centrifugal tendencies of the German character are not sufficiently explained as partly the result of geographical conditions. A country whose eastern contingent lies open to Slavic influences, the western to French, the northern to English and Scandinavian, and the southern to Italian, would naturally find it difficult to develop a homogeneous national ideal. The resultant "particularism" which the author so often justly scores, has, however, more than he admits, certain advantageous qualities. So, for instance, the small courts, with all their faults, mean, for modern Germany, a healthy decentralization of cultural life. The treatment of the Romantic School fails to do justice to that remarkable group. In spite of faults, the German Romanticists

enormously contributed to the wealth and depth of culture, and carried German influence into France and England. The whole Ruskin movement, for instance, goes back, in last analysis, to their art-tenets. The good summary, *Non-political Currents during the Nineteenth Century*, would gain in vividness, if, from the great mass of names, three were brought out in bolder relief: Hebbel, as the originator of a new and essentially modern conception of tragedy based on the idea of evolution; Wagner, as the creator of the modern musical drama; and Nietzsche, as a potent force in the spread of a positive view of life (*Lebensbejahung*), in contrast with Schopenhauer's pessimism (*Lebensverneinung*). It is this positive view which gives modern German life its peculiar flavor, and is reflected in pictorial art and in the novels of Frenssen, Herzog, and others.

We warmly recommend this scholarly and forceful book to that increasing number of persons whose attention is being called to Germany's importance in modern life.

CAMILLO VON KLENZE.

Scotland. By Robert S. Rait, Fellow and Tutor of New College, Oxford. [The Making of the Nations.] (London, Adam and Charles Black, 1911, pp. xii, 320.) Those who are already acquainted with Mr. Rait's work will not find themselves disappointed in their expectations by this admirable book. The task of writing one volume of a series presents the double difficulty of restriction to a limited space, and to a certain line of treatment; but these difficulties have not prevented Mr. Rait from doing an excellent piece of work in *Scotland*. He has made, in our opinion, the right selection of topics; nor is he unsuccessful in his treatment of them. He neither allows his book to break up into a mere series of essays, nor does he make the reader feel that he has distorted the general picture of Scottish development by over-insistence on any one point. The limits of space have compelled him to expound his various subjects with dangerous brevity; but he succeeds in giving them all a living interest, and only here and there does one feel it difficult to see the wood for the trees—notably in chapters I., VI., and X., which, for that reason, are a little difficult to read.

The book will be of great service to those who, for lack of access to larger works, have to read their Scottish history in smaller manuals: for Mr. Rait's sound scholarship enables him to dispel many of the illusions which are so apt to find their way into such books. Particularly do we note this in his work on the War of Independence, and on Covenanted Times—on which books of this size are apt to mislead, because, as a rule, they emphasize attractive tradition to the detriment of solid fact. Thus the writer substitutes for the usual idealized view of Robert the Bruce a picture much saner and nearer the truth—and, while he does not whitewash Charles II., he is not blind to the defects of the Covenanters. And he performs such tasks with a praiseworthy gentleness of touch.

In the space at our disposal fair criticism is not easy. But we would like to say that the last chapter is a little overcrowded, and seems to betray certain special interests of the author. He says at page 303, "The real interest of the period between the suppression of the Forty-five and the outbreak of the French Revolution lies in the literary life of the country." Yet after only a few lines on this head, he passes from it with, "The intellectual revival could not fail to lead to demands for a great constitutional advance." And he confines his remarks on the growth of modern Scottish industry to two sentences and the statement (p. 307), "The transference of national interests from religious controversy to commercial progress which marked the eighteenth century has never been complete." But these things may well be due to lack of space—indeed, in the second instance, Mr. Rait justifies himself by that plea. In the quotation on page 101 "only" should surely be "only", and on page 304, "1793" should take the place of "1773".

The book is well got up, and excellently illustrated—but the maps, with the exception of the plan of Edinburgh, are not quite so good.

JOHN DALL.

L'Abbaye de Saint-Martin de Troarn au Diocèse de Bayeux des Origines au Seizième Siècle. Par R. N. Sauvage. (Caen, 1911, pp. lii, 524.) This excellent monograph is in refreshing contrast to the older type of monastic history, for instead of giving a series of annalistic biographies of abbots, amplified by generous borrowings from the general histories, M. Sauvage has attacked the real problems connected with the work and influence of a medieval monastery. A critical examination of the sources and the history of the abbey's foundation serves as the basis for a study of its relations to lay and ecclesiastical authority, its inner administration, and its economic development, followed in the appendix by an account of the liturgy and the conventual buildings. The bibliographical apparatus is especially full and careful, and there is a substantial body of original documents. Chief attention is given to the economic side of the monastery's life, as seen in the growth and administration of its estates, the management of its capital, and its part in the agricultural exploitation of the lower valley of the Dive and the marshes of the coast. This emphasis is well chosen, for at no time during the seven centuries of its history does Troarn seem to have been a notable moral or intellectual force, whereas its economic rôle was important and the materials for its study are fairly abundant. A monograph of this type is especially to be welcomed, since comparatively little has been done in the field of Norman economic history since the publication of the classical studies of Delisle more than sixty years ago, and there is need for applying to other religious establishments the sobriety, patience, and critical judgment which M. Sauvage has here shown.

C. H. H.

Les Communes Françaises à l'Époque des Capétiens Directs. Par Achille Luchaire, Membre de l'Institut. Nouvelle édition revue et augmentée d'une introduction par Louis Halphen. (Paris, Hachette et Cie., 1911, pp. xvi, 299.) M. Luchaire devoted his lectures at the Sorbonne in 1888-1889 to the communal movement in France. Shortly afterward he assembled substantially the same matter in book form. Thus arose first the work now before us in a new edition.

In the published as in the spoken form it was addressed to a rather general public. To set out in its general traits, after the most recent works, the organization of the sworn commune of the north of France—the most complete and clear-cut type of independent municipality; to show what place it occupied in the society of the time; to study its relations with the lay feudality, the Church, and the king; with no other ambition than to present, in order and clearly, without the apparatus of erudition, for the advantage of students who are curious as to history and learning but have not the time to collect and read the publications of savants—to present thus a subject rarely treated in *ensemble* yet appealing to intelligent people: such was the modest aim the author professed in his *avertissement*. To this only two remarks need be added. The statement as to the scope of the work is to be taken seriously. It concerns almost solely the region north of the Loire, and within that only those relatively few communities where independence was gained. Accordingly one should guard against applying too widely or too generally the conclusions set forth. Also, though M. Luchaire wrote "after the most recent works", he himself knew well the sources on which the science of the subject rested, and put into the book a good deal that was new.

This work, as M. Halphen remarks, remains after over twenty years one of the clearest and most trustworthy syntheses ever made of the history of the French communes. Various slight changes have sufficed to fit it for reappearance: a few suppressions, some corrections of dates and other details, some softenings of too categorical statements, and at places references to recent studies. The editor has however added interest to the new edition by his introduction. Briefly but quite effectively, he points out what course studies in medieval town history have chiefly taken since Giry's time—especially the part of M. Pirenne therein—and shows how these studies have carried forward the answering of some of the problems treated by Luchaire. Thus, with the progress of knowledge concerning the relation between economic renaissance in the eleventh and twelfth centuries and the communal movement, the question of origins of that movement is by no means as hopeless as Luchaire thought it; the question of filiation of communal charters has turned out to be much more complex than it appeared to Luchaire; and additional light has come as to how there arose two quite different sorts of *échevinage*.

It seems probable that advance of knowledge in the next years, as

in the last two decades, will serve less to contradict than to complete what Luchaire has said. So his work still deserves reading, and in its new form is likely to live yet a considerable time.

E. W. Dow.

Die Hanse und England, von Eduards III. bis auf Heinrichs VIII. Zeit. Von Dr. Friedrich Schulz. [Abhandlungen zur Verkehrs- und Seegeschichte im Auftrage des Hansischen Geschichtsvereins herausgegeben von Dietrich Schäfer. Band V.] (Berlin, Karl Curtius, 1911, pp. xv, 195.) This is one of a number of valuable historical studies due to Germany's recent development of commercial and naval ambitions. The closing paragraph, in which it is argued that the final victory of the English merchants over the Germans of the Hanse in the sixteenth century was due not to any superior ability of the English merchants but to the greater support given by their government, is plainly an argument for government support of modern German commerce. But there is no evidence of distortion of the narrative due to such a thesis. There is such a tradition of scientific accuracy and scholarly thoroughness existent in Germany that even a marked economic and political tendency may leave a work of historical importance unharmed.

The interesting field of the relations between England and the Hanseatic League bids fair to be well worked, though so far entirely by Germans. Five serious and somewhat extended works on one or other period or phase of the subject, by Keutgen, Schanz, Daenell, Ehrenberg, and Schulz, besides shorter studies by Stein, Kunze, and Pauli, have been published, but so far there is nothing of importance in English. This latest German work recounts the successive disputes, negotiations, wars, and treaties, which characterized the troubled relations between the traders from the Baltic and West German cities and the English government. The special privileges of the Hansards in England date from the *carta mercatoria* of 1303. Although this was granted to all foreign merchants coming to England to trade, the Hanse merchants alone retained its advantages. They retained them, however, only with the greatest difficulty. After a time of relative equilibrium under the three Edwards, the imposition of special taxes by the English government, the efforts of English traders to intrude upon what the Hanseatic merchants considered their own commercial dominion, piracy, local oppressions, and all the acts of retaliation, opposition, and violence to which these occurrences gave rise, left but few long periods of undisturbed trading or political relations. Dr. Schulz's narrative closes with the attack of Wolsey on the Hanseatic privileges between 1517 and 1522. The remaining fifty years of Hanseatic activity in England, down to 1579, when Elizabeth reduced the position of the German merchants to an equality with that of all other foreigners, is left untouched. In the narrative portion of the work as

well as in the concluding chapter describing the organization of the Steelyard at London and the settlements in other English cities, the author relies, practically, entirely on German sources. Inadequate as the English documents are they would have added in several places to the fullness and clearness of the work. As it stands, however, this is the best existing treatment of its subject.

E. P. CHEYNEY.

Registres du Conseil de Genève. Publiés par la Société d'Histoire et d'Archéologie de Genève. Tome III. Du 11 Février 1477 au 4 Février 1487 (Volumes 8 à 10). (Genève, Kündig, 1911, pp. x, 637.) The *Registra* record chiefly the transactions of the *consilium ordinarium* in its biweekly sessions. These records, contrary to the opinion of Roget, show that the council co-operated with the bishop in negotiating the first alliance of Geneva with Bern and Freiburg, 1477. Geneva was suffering from financial difficulties entailed by the ransom imposed after the wars of Charles the Bold and demanded by the Swiss adventurers, and from the strife of three candidates for the bishopric.

Attempts to regulate prices (even with the added wisdom of ecclesiastical councils) reveal overcharging, unwillingness to sell by weight, petitions for higher prices, modifications of rates, exceptions, proclamations, threats of prosecution, and the sending of recalcitrants to the bishop. Beef was usually three *denarii* a pound, mutton five. Pork in 1477 was twice the price of beef. Legislation regarding taverns indicates that these were in the hands of "ecclesiastici, canonici, curati, et eciam doctores et jurisperiti".

Of the *consilium generale* there were an average of nearly five sessions annually. One records the numbers present as over 1,000. No business was proposed at this session because of the insult offered to the syndics by the *populares* through their assertion that the syndics planned to levy taxes, and through their action in ejecting the guards from the cloister. Another popular uprising of a "great multitude of the people" recalled two syndics and confirmed two others, one of the latter, a smooth fellow named Emericus, elected for a third term. In 1484 it was provided that the council of fifty, hitherto elected by the little council, should be chosen, two members by each of the twenty-five districts (*disenae*) of the city.

The 100-page index continues the improvement in fullness and logical classification noted in the second volume and, with the brief but illuminating notes, adds greatly to the value, which is such as was to be expected of the society and editors responsible for this scholarly work.

HERBERT DARLING FOSTER.

Commentaires de Blaise de Monluc, Maréchal de France. Édition critique publiée et annotée par Paul Courteault, Professeur à la Faculté des Lettres de l'Université de Bordeaux. Volume II., 1521-

1553. (Paris, Alphonse Picard et Fils, 1911, pp. 421.) M. Courteault has already begun to follow up a suggestion which he made in the closing pages of his brilliant critical study of the *Commentaires* of Blaise de Monluc which appeared in 1908 and was noticed on pages 119-120 of volume XIV. of this journal. The present volume gives us the first instalment of a new and undoubtedly definitive edition of that work—covering the years 1521-1553. It reveals the same painstaking and accurate scholarship which was displayed in M. Courteault's previous critical study of the *Commentaires* and biography of Monluc (cf. AMERICAN HISTORICAL REVIEW, XIV. 848-849). It makes a very considerable advance over the hitherto standard edition of the *Commentaires* published by the Baron de Ruble in 1864-1867 for the Société de l'Histoire de France.

The various editions of the *Commentaires* which appeared previous to that of de Ruble are virtually reimpressions (not always exact) of the first one, put forth in 1592 by Florimond de Raemon, counsellor of the Parlement de Bordeaux. In this, much of the original manuscript was changed, and more was suppressed, owing to the caution of the editor, who did not wish to be held responsible for the publication of Monluc's sometimes too frank expressions of opinion on living men and current events. De Ruble, however, discovered two manuscript copies of the *Commentaires* in the Bibliothèque Nationale, the one complete, the other disfigured by the loss of a number of pages at the end—both of which were dictated by Monluc before the one from which Florimond de Raemon's edition was printed: the first, in fact, was almost certainly composed between November, 1570, and June, 1571. These two manuscripts differ considerably from one another; the second, as far as it goes, is a partial revision of the first. They both differ yet more from the one used by Florimond de Raemon; they stop five years earlier; they contain much which the late manuscript omits and vice versa; their style is far less finished and correct, and they reveal to the full the author's anger at his recent dismissal from his post of lieutenant of Guienne, while the later revision adopts a far more philosophical tone. De Ruble's edition is a sort of amalgamation of the edition of Florimond de Raemon as reproduced by Buchon, and of these two manuscripts. It omits nothing, but it is so arranged that it is quite impossible to determine which parts have been taken from one source and which from another. M. Courteault, on the other hand, has adopted as a basis for the present edition that of Florimond de Raemon; but he also inserts, at the bottom of the pages, the variants of the two manuscripts, so as to indicate the different stages through which the work passed; he identifies in foot-notes, moreover, in so far as possible, the names of obscure persons and places. Seldom has it been the good fortune of a modern scholar to make the career and writings of an earlier historian as completely his own as has M. Courteault with

Blaise de Monluc. The work which he has accomplished will not have to be done over again.

ROGER BIGELOW MERRIMAN.

Touring in 1600: a Study in the Development of Travel as a Means of Education. By E. S. Bates. (Boston and New York, Houghton Mifflin Company, 1911, pp. xiv, 418.) The author of this book finds "any statement of objective fact" to be impracticable "in connection with such a subject as this" and aims "merely at approximate subjective accuracy; to study, that is, the psychology of the subject" (p. 391). Whatever he may mean by this, he is clearly not quite certain that he has achieved his purpose. "Students", he adds, "are requested to hear this statement with the ear of faith, remembering that all such attempts have to be heavily peptonized if expenses are to be paid." In this age of unfaith, the average student will probably find that the volume before us smacks much more of pepsin than of psychology. It is, indeed, little more than a collection of interesting anecdotes of travel extracted from the narratives of sixteenth and seventeenth-century travellers, and grouped under chapters on Tourists, on Guide Books, on Inns, on The Purse, and so forth. The author hardly pretends to criticize the tales which he repeats, and often leaves us wondering whether we can safely take his genial wayfarers at their word. Objective facts cannot altogether be dispensed with, even if one aims "merely at approximate subjective accuracy". Occasionally the author ventures a generalization, but not always with success. Cartographers, for instance, will probably resent his curt summary of sixteenth-century map-making. "As for sixteenth-century maps, they seem meant for gifts rather to an enemy than to a friend" (p. 52). The foot-notes reveal a wide acquaintance with the contemporary literature of travel in Europe. Students will be grateful to the author for bringing to light passages from many narratives not easily accessible. The bibliography contains a partial list of sources with useful critical notes. The book is unusually well printed, and the illustrations include good copies of many appropriate contemporary pictures not heretofore reproduced.

CONYERS READ.

Municipal Origins: an Account of English Private Bill Legislation relating to Local Government, 1740-1835; with a Chapter on Private Bill Procedure. By Frederick H. Spencer, LL.B., Lecturer on Economics and the British Constitution at the City of London College. With a Preface by Sir Edward Clarke, K.C. [Studies, London School of Economics and Political Science.] (London, Constable and Company, 1911, pp. xi, 333.) This work is in part a result of the author's association with the Webbs, whom he assisted in procuring material for the study of English local government. As a piece of research the work

has been done with great fidelity; and despite its leanings to the more technical side of political science, it may well claim attention from any student of the eighteenth century. The period covered lies between 1740 and 1835; and the investigation necessitated a long perusal of vestry records for these years, and a critical examination of legislative procedure and of the private bill legislation bearing upon the institution of urban services in town areas. But that does not confine the author exclusively within the field of municipal government. In the concluding chapter he takes a broader sweep of the subject in a clear summing up of the eighteenth-century tendency towards what is happily termed "urbanisation", and in a discussion of the very curious light this tendency throws upon the adjustment of law and the legislative process to the urban movement, with its treatment at first empirical, but requiring in the end a more or less comprehensive theory, characteristic of the Liberal tradition after 1832.

It is difficult to refrain from suggesting that the eighteenth century has been thrown somewhat out of perspective by the fact that the material most easily procurable for its study bears so exclusively upon the governing classes. Monographs like this reveal for the period an undercurrent of English political life which, as Mr. Spencer's researches show, well repays investigation.

C. E. FRYER.

Le Mouvement Physiocratique en France de 1756 à 1770. Par Georges Weulersse, Professeur au Lycée Carnot, Docteur ès Lettres. In two volumes. (Paris, Félix Alcan, 1910, pp. xxxiv, 617; 768.) Historians no less than economists have for many years lamented the absence of any adequate study of the Physiocratic school and its doctrines. As in the case of the Mercantilists, the dicta of Adam Smith's superficial and unsympathetic estimate exerted a benumbing influence upon succeeding opinion. Whatever mischief Adam Smith may have left undone in this direction, was completed by the exaggerated claims of French apologists and the sweeping phrases of McCulloch's depreciation. In 1847 Daire's reprint made available certain inaccessible texts, and supplied a reasonably intelligent editorial apparatus. But the stock histories—Twiss, Blanqui, Ingram—continued to mumble the old commonplace.

It has only been in the present generation—in belated train of the historical movement in economic study, and with the revivals of interest in the history of economic doctrines—that the Économistes have come into their own. Lavergne's series of sketches, Stern's essay on Mirabeau, Higgs's interpretation of Cantillon, Schelle's monograph on Dupont, Hasbach's study of philosophic origins, Oncken's monumental edition of Quesnay, Bauer's productive inquiries in many directions—all appeared in comparatively quick succession. The movement culminated with a certain dramatic effectiveness in Dr. Bauer's rediscovery in the

papers of the elder Mirabeau in the Archives Nationales of an original copy of the 1759 edition of the *Tableau Oeconomique* with Quesnay's manuscript notes, and in its facsimile reproduction by the British Economic Association in 1894 to mark the bicentenary year of Quesnay's birth.

With such momentum it would have been safe to anticipate the appearance, sooner or later, of an adequate study of the school and its tenets. Higgs's *Six Lectures* whetted the appetite, and even aroused expectation of a larger work from this accomplished scholar. But other duties intervened, and it has been left to M. Weulersse to render the long-awaited service.

The event has completely justified the delay. Since Roscher's prime, economic *Dogmengeschichte* has been enriched by no more satisfying contribution than the two stout volumes in which M. Weulersse has traced the origin, growth, and influence of the school from its earliest beginnings to the last year of Choiseul's ministry. He has done this with a fidelity of scholarship, a maturity of judgment, and a facility of presentation that make of the work a notable contribution. For the period beyond 1770 M. Weulersse announces that he has already outlined his plan and assembled the materials. If the volumes to come be executed in the same manner as have those before us—and there is every reason for believing that they will be—at least one chapter in the history of economic thought will have found definitive interpretation.

JACOB H. HOLLANDER.

Sea Kings of Britain: Keppel to Nelson. By G. A. R. Callender, B.A., Royal Naval College, Osborne. (London, New York, Bombay, and Calcutta, Longmans, Green, and Company, 1911, pp. viii, 367.) This is the last in a series of three volumes by the same author containing brief sketches of the lives of British naval heroes from Hawkins to Nelson. Keppel, Rodney, Howe, and Duncan are each allotted a chapter in this final volume, but more than two-fifths of its space is given to Nelson. Mr. Callender seems to have written his book primarily for the purpose of inspiring embryo British sea-captains to emulate the deeds of the admirals who contributed to make their nation the mistress of the seas. At any rate it is manifest that he has not addressed it to serious students of history. He confines himself strictly to the task of narrating the services which his characters rendered their country on the sea, and a large part of his space is given up to a detailed description of battles. Owing to this fact, in spite of the author's labored attempt to be terse and dramatic in his descriptions, a reader not well versed in naval history finds it a little difficult to follow him in his numerous references to the names of vessels and his familiar use of nautical terms. Nowhere do we find citations to the authorities which the author has used, which is, perhaps, a pardonable omission in so brief a work. But neither does Mr. Cal-

lender offer the least bibliographical help to a reader desiring to pursue further his study of British naval history or naval heroes. This would seem to be a more serious omission, especially since some of the author's statements are clearly open to question. As critical biography, even of an elementary sort, Mr. Callender's book scarcely deserves consideration; but as a manual for young Britons who are interested in the great deeds of the naval heroes of their country it may have a certain value.

WILLIAM THOMAS LAPRADE.

Despatches from Paris, 1784-1790. Selected and edited from the Foreign Office Correspondence by Oscar Browning, M.A. Volume II., 1788-1790. [Camden Third Series, vol. XIX.] (London, The Royal Historical Society, 1910, pp. x, 337.) This is the second volume of correspondence edited by Mr. Browning (for the review of the first volume see the AMERICAN HISTORICAL REVIEW, XV. 410), covering the despatches of Dorset, Hailes, and Fitz-Gerald, written at Paris during the years 1789 and 1790. Thus it forms a connection between that first volume and the letters of Gower (published in 1885), which begin in June, 1790. The present volume contains one hundred and twenty-five letters written, for the most part, by Dorset and his successor Fitz-Gerald. About a dozen of the letters written in 1788 are by Hailes; Eden has one (September 3, 1789) and Jenkinson two (September 10, 17, 1789). There are no letters for August, 1789. Fitz-Gerald's letters begin October 7, 1789, and go to June 18, 1790. It is unfortunate that all the letters for these years could not have been written by Hailes, who was really what Mr. Browning calls him, "one of the most competent and far-sighted diplomats of the eighteenth century, one of the few men who realized the importance and predicted the results of the momentous events which preceded the Revolution". He had been sent to Poland. Fitz-Gerald was of about the same mental calibre as Dorset and wrote despatches of about the same length, and of the same mediocre quality that characterized the letters of his predecessor. All of the despatches are not printed *in toto*; marks of omission are frequent. In comparing this volume with its predecessor (see the REVIEW, XV. 410) we are struck with the paucity of information on diplomatic affairs. Both in quantity and quality, the despatches of Dorset and Fitz-Gerald rank below those of the ambassadors of Venice, of Saxony, of Austria, and even of Parma. Mr. Browning lays stress on the value of the despatches as sources for the history of the diplomatic relations between France and England during these years, but even a rapid reading shows that their value is to be found rather in the information they contain upon the internal affairs of France. What better proof could be asked of the fact that the Revolution had deprived France for the time being of her influence in foreign affairs than this series of letters from Paris written by the

English ambassadors? In the earlier volume, whole letters were devoted to international relations with only a paragraph or two on French domestic affairs. As the Revolution progressed, the proportion changed until, in 1789, foreign affairs had fallen completely out of sight, or—more correctly speaking—the Revolution had become the most absorbing of foreign affairs. Here, then, is one more contemporary account, helpful in establishing the facts of the Revolution. Much of the information is evidently second-hand, but even then it is usually drawn from a good source and helps to clear up matters that before were uncertain. The student of the struggle between the king and the parliaments in 1787 and 1788 will find it worth his while to examine carefully these despatches. While no one letter contains an illuminating exposé of the situation, such as characterized the letters of Hailes in the first volume, the sum total of the gleaning from all the letters is considerable, sufficient to well repay the search. The introduction, omitted from the first volume on account of the illness of Mr. Browning, appears in the second. The most important statement it contains is the reference to the unpublished letters of Hailes, written from Poland and relating to the third partition. The work of the editor in this volume consists of an index and a few foot-notes. All students of the French Revolution are under obligations to Mr. Browning for having these despatches copied and for urging their publication until he found somebody wise enough to listen to him.

FRED MORROW FLING.

L'Église de Paris et la Révolution. Par P. Pisani, Chanoine de Notre-Dame de Paris, Docteur ès-Lettres, Professeur à l'Institut Catholique de Paris. Volume IV., 1799-1802. (Paris, Alphonse Picard et Fils, 1911, pp. 461.) This is the last of the four volumes devoted by the Abbé Pisani to what he insists on calling the history of "the Church of Paris" during the Revolution. In fact the bulk of the work is devoted to a much larger and more vital subject, namely the gradual reconciliation of the State and the Church and the negotiations that were to pave the way for the Concordat.

The first two chapters describe the more liberal régime ushered in by the 18 Brumaire: ecclesiastical prisoners are released, 30,000 priests return from exile under cover of the law in favor of the émigrés, churches closed by the Directoire are reopened. But even Bonaparte had to go slowly; two obstacles are in the way of complete pacification: the opposition of the uncompromising royalists who refuse the new oath of allegiance and the hostility of numerous state officials who have kept their anti-Catholic feelings. The victory of Marengo, June 14, 1800, marks however the turning-point in the religious policy of the Consulate. On that occasion the two clergies celebrated a separate Te Deum, one at Notre-Dame, the other at St. Roch, thus emphasizing the gap still existing in the Church. At that very time Bonaparte, on his

way to Paris, was making the first overtures to put an end to the schism. The message which he sent to Rome reached Pius VII., July 3, 1800. A secret representative of the Vatican arrived in Paris, November 5. The following September the Concordat was signed. It had been a long and difficult negotiation, with several interruptions, during which Bonaparte threatened once to become a Protestant. The fight was waged around two main points. The government insisted on the right to ask the resignation of all the bishops and to appoint the new ones. The pope, on the other hand, wrested from the Consuls a statement that they were Catholics and that the majority of the French nation were so, likewise. It was a compromise which had the great advantage of establishing a hundred years' truce which was to come to an end only in 1905.

This first part of the work of M. Pisani, interesting and readable though it is, covers familiar ground and adds hardly anything to the books of Boulay de la Meurthe, Mathieu, and Aulard. The second part has the advantage of treating a subject of a more contentious nature, namely the attitude of the Constitutional Clergy before and after the Concordat. Here the orthodoxy of our author is forced to yield to the honesty, if not the impartiality of the historian. Obligated to censure the "pride" and "revolt" of the Gallicans and Constitutionals he nevertheless praises their sincerity and his chapter on the last council of 1801 is an interesting effort to conciliate conflicting duties, with the result that truth triumphs in the end; and credit is given to the stubborn conscience of Grégoire's followers.

The students of the religious problems of the Revolution will find these four volumes of Abbé Pisani useful, entertaining, and lively. If, however, the work does not seem to answer, in all respects, the requirements of serene and unprejudiced scholarship the reader must make allowance for the handicap of an historian who has to submit the results of his investigations to the "Nihil obstat" of "Alfred Baudrillart, V. G. Rect." and the "Imprimatur" of "Leo Adolphus, Arch. Paris."

O. G.

Un Héros de la Grande-Armée, Jean-Gaspard Hulot de Collart, Officier Supérieur d'Artillerie (1780-1854). Par le Vicomte du Motey, Lauréat de l'Institut. (Paris, Alphonse Picard et Fils, 1911, pp. xiv, 585.) The subject of this biography was a younger brother of General Jacques-Louis, Baron Hulot (1773-1843), the author of *Souvenirs Militaires* (Paris, 1886), and a relative of two other Napoleonic generals of the name. The volume is made up of letters of the two brothers and other documents, private and official, with enough text to cement them together. The foot-notes are abundant and excellent, containing a wealth of biographical information gleaned from many sources. A map, portraits, appendixes, and an index recommend the book. Occa-

sional misprints and a few obvious misstatements of facts of general history, as on pages 17 and 273, unfortunately appear.

Gaspard Hulot completed the course at the École Polytechnique and entered regular service as second lieutenant of artillery in 1800. He served under Augereau in Southern Germany, Marmont in Dalmatia, and Junot in Portugal; was captured during the revolt at Oporto and imprisoned on a hulk at Corunna for seven months; assisted in the defense of Tuy on the Portuguese frontier; was invalided for several months and then given a quiet berth in the arsenal of Liège, before he saw his first big campaign in 1812. One of the few survivors of the retreat from Moscow, he participated in the various operations in Germany during 1813 and commanded the artillery in the defense of Thionville in 1814. During the Hundred Days he was on artillery detail at Valenciennes, and later at Bourges, Cherbourg, and Douai. He made the Spanish campaign of 1823 and from 1825 to 1830 was director of artillery in Martinique. After the Revolution of 1830, he was allowed to retire with the rank of lieutenant-colonel. He died in 1854 in his native town of Charleville. The volume is a careful and commendable effort to recount the life of a worthy and commendable officer who, like hundreds of others, served long and faithfully without winning promotion or renown.

GEORGE MATTHEW DUTCHER.

Correspondance du Comte de la Forest, Ambassadeur de France en Espagne, 1808-1813. Publiée pour la Société d'Histoire Contemporaine, par Geoffroy de Grandmaison. Tome V., Avril-Décembre, 1811. (Paris, Picard et Fils, 1911, pp. 427.) The four preceding volumes of this correspondence have already been reviewed in this journal. The volume now before us covers the period from April to December, 1811. It opens with the announcement of the birth of the King of Rome and of the elaborate official ceremonies of King Joseph, the French ambassador, and the city of Madrid in honor of that event. Forest continues to show his profound respect for the niceties of etiquette, his lively sense of their importance. Details, dear to the diplomat, as to how he was received at Court, where he sat at table, what guards saluted him as he came and went, are recorded fully and with evident appreciation. The ambassador notes that the people, who were prevailingly superstitious, regarded the birth of a Napoleonic heir as indicative of God's favor to Napoleon, presaging the success of his Spanish adventure. Joseph seized the long-desired opportunity to leave his precarious kingdom in order to attend the baptism of the prince in Paris, but really to secure from Napoleon promises of aid sufficient to enable him to maintain his throne. The people believed he was leaving Spain with no thought of return, tired of his inglorious *métier* of phantom king. Forest took occasion to suggest to the emperor's ministers that the universal desire of the Spaniards was that Napoleon

himself assume the crown, that thus peace would be brought about and the independence and integrity of their sorely visited country be preserved.

During the two months' absence of the king, the Council of State, left in the lurch, lived in a kind of void in Madrid. Upon his return with fair promises of support from the imperial brother, the outlook became brighter, only to darken when the necessary aid was not actually furnished.

It is a sombre picture that is painted in these pages of a country in disintegration, cruelly harassed by taxation and by predatory bands of brigands, devastated by foreign armies led by rapacious generals, and of a royal government defied by French generals, its authority almost limited to Madrid, and its sovereign virtually forced to pawn his few diamonds in order to get a little ready cash with which to meet his daily needs. And, to make confusion worse confounded and to sharpen the impression of an impending doom, rumors of troubles with Russia began to spread. It is no wonder that Joseph expressed the misery of his position to Napoleon in a remarkable interview with Forest which the latter reported in full to his master on December 23 (pp. 377-387).

CHARLES DOWNER HAZEN.

The Precursors of Jacques Cartier, 1497-1534: a Collection of Documents relating to the Early History of the Dominion of Canada. Edited by H. P. Biggar, B.Litt. [Publications of the Canadian Archives, no. 5.] (Ottawa, Government Printing Bureau, 1911, pp. 213.) Mr. Biggar has undertaken in this publication to bring together the chief manuscript sources of the earliest history of the Dominion of Canada. He gives us, therefore, what in college circles would be commonly designated a "source book" covering the period from 1497 to 1534. None of the sixty-four documents printed are newly found, and the majority, as is stated, have already appeared in print. We have here their first grouping. The work of editing has been carefully done, and the claim is made that in every case the translations are new. The documents being neither numerous nor lengthy, the editor has wisely chosen to print each in the original language, Latin, Spanish, Portuguese, Italian, French, or English, to which is added a free English rendering of all save those in French. In an introduction of twenty-five pages, the editor gives a running comment on the course of discovery and exploration in the region under consideration, checking most of the statements by reference to one or more of the documents. It is admitted that certain statements are purely conjectural, and must be considered as nothing more than working hypotheses. It may be well here to note that the statement concerning Cabot's coming to England in 1484 "filled with this idea" (of finding an ocean course westward to Asia) is not well authenticated. Space will not permit a special reference to even the more important of these documents. All that

are known have been brought together by Mr. Biggar. There is an appendix of printed sources including map reproductions.

E. L. S.

Diary of Cotton Mather, 1709-1724. [Massachusetts Historical Society Collections, seventh series, vol. VIII., edited by Worthington C. Ford.] (Boston, the Society, 1912, pp. xiii, 860.) This is the second volume of Cotton Mather's diary (see above, p. 193). As a record of the author's good deeds and pious exercises it can only be described as the prayer of the Pharisee in the Gospels extended through 860 pages of print. The usual heading of the entries is the symbol "G. D.", meaning "good devised". It is fair to say that a large part of the good devised seems actually to have been accomplished by the indefatigable doctor, though at the same time he continues, with an almost convincing iteration, to represent himself as the basest of sinners. A good deal of information about his books and about manners in Boston, and especially about the agitation respecting inoculation for the smallpox, may be incidentally obtained from the volume. The best aspect of the diary is its exhibition of the doctor in his relations to his family, as a most affectionate father, and a most patient husband of a *difficile* (third) wife. Besides the diary a hundred letters, 1709-1727, are printed, mostly more substantial material for history than the journal itself. A reproduction of Captain John Bonner's map of Boston in 1722 is prefixed to the volume.

Massachusetts Historical Society Proceedings, October, 1910-June, 1911. Volume XLIV. (Boston, the Society, 1911, pp. xvi, 787.) To this unusually large volume of the society's *Proceedings* the chief contributor of text is the president, Mr. Charles Francis Adams, from whom come articles on the Campaign of 1777, on Contemporary Opinion of the Howes, on the Canal Zone—something like a fifth of the volume and all interesting matter. Mr. Worthington Ford, the editor of the volume, supplies a valuable article relating to certain pamphlets of Israel Mauduit, but his hand may also be seen in the laudable tendency, shown here as in other recent volumes, to come down into the period subsequent to the Revolution and print materials of nineteenth-century history. Thus the volume has letters of much political interest written by Jonathan Russell to Clay and John Quincy Adams in October, 1815, a body of documents on the trial of Anthony Burns in 1854, and a nearly contemporary account of the last blockade run of the *Sumter* by its commander, Captain Reid. Professor Channing has a valuable paper on Commerce during the Revolutionary Period, Mr. Brooks Adams a history of the Convention of 1800 with France, and Mr. Andrew McFarland Davis one on the Charitable Corporation of London.

Publications of the Colonial Society of Massachusetts, volume XIII., *Transactions*, 1910-1911. (Boston, 1912, the Society, pp. xix, 509.)

In this volume Professor George L. Kittredge has a paper on Rev. George Stirk, minister of the Church of England in Bermuda from 1622 to 1637, accompanied by some documents of interest to students of New England history. Mr. Albert Matthews has a paper on Sir Matthew Holworthy, benefactor of Harvard College, and Lady Holworthy. Mr. Horace E. Ware continues his useful notes on the magnetic aspects of early New England maps. There are also in the volume various documents and minor communications of some interest. But its most important element, occupying 169 pages, is a body of letters of Dennys De Berdt, communicated by Mr. Albert Matthews. The original nucleus of this collection of letters was a letter-book of De Berdt, 1765-1770, preserved in the Library of Congress, but Mr. Matthews has added to them a considerable number of other letters of De Berdt, 1757-1770, found in the Massachusetts archives, in the library of the Massachusetts Historical Society, in that of Dartmouth College, and in that of the Earl of Dartmouth. The letters are prefaced with a careful biographical sketch of De Berdt. Taken all together, they make a decidedly interesting and valuable contribution to our knowledge of the relations between Massachusetts and Great Britain in the years named, and of the activities of a colonial agent. The volume is well printed, and its plates are exceedingly well executed.

American Prisoners of the Revolution. By Danske Dandridge. (Charlottesville, Virginia, The Michie Company, 1911, pp. ix, 512.) This volume consists of a collection of a large number of original accounts of the sufferings of American prisoners of war in British prisons, prison ships, or guarded enclosures, and is one long, lingering crucifixion of British charity, humanity, and decency during the Revolutionary War. The original narratives are all "out of print, very scarce and hard to obtain", and the author "feels justified in reprinting them in this collection". We seriously doubt the wisdom of making such material more accessible than it was before the appearance of this book. Historical investigators could find all such material needful to study that feature of the struggle, and popular collections of such literary horrors will work nothing but evil. It avails little that the author publishes with "no desire to excite animosity against a people whose blood is in our veins", the fact is that many readers have not the cool judgment which will restrain their wrath, when they read such heart-rending tales of human cruelty and savagery as may be found in this volume. Page after page of relentless repetition of stories of starvation, disease, torture, inhuman revenge, and fiendish cruelty, cannot be reasonably published "for the sake of the martyrs of the prisons themselves". It is not excused because "we are in danger of forgetting the sacrifice they made of their fresh young lives in the service of their country".

All of the more famous prisons are portrayed, Columbia College, the

Van Cortlandt Sugar House, Rhinelanders' Sugar House, the Liberty Street Sugar House, the North Dutch Church, the Middle Dutch Church, the Friends' Meeting House, the New Jail, and the various prison ships with especial emphasis on the *Jersey*. In the appendix is a list of 8000 men who were prisoners on the *Jersey*. Among the diaries and accounts are those of Jonathan Gillett, Jabez Fitch, Ethan Allen, Alexander Graydon, Daniel Bedinger (the editor's grandfather), John Fell, John Blatchford, Andrew Sherburne, Eli Bickford, Dr. Elias Cornelius, Captain Fanning, Captain Birdsall, Ebenezer Fox, Christopher Hawkins, Captain Dring, Captain Alexander Coffin, Captain Roswell Palmer, and even a long poem on the horrors of the prison ship *Scorpion* by the poet Phillip Freneau. Many newspaper accounts are also republished and the letters of Elias Boudinot, Benjamin Franklin, and George Washington concerning the conditions in the prisons are reprinted. With this historical Blue-Beard's closet to draw from, none need want for horrors with which to depict British depravity in the Revolutionary War time.

C. H. VAN TYNE.

The Dutch Republic and the American Revolution. By Friedrich Edler, M. Dipl., Ph.D. [Johns Hopkins University Studies in Historical and Political Science, series XXIX., no. 2.] (Baltimore, The Johns Hopkins Press, 1911, pp. viii, 252.) We have here a very thorough, scholarly study of the subject attacked, but the results are somewhat disappointing. A careful reading discovers only a multitude of new details while the essentials of the subject remain little altered. We know what we knew before, but we know it more fully and more certainly. A digest of the results yields the following essentials. The Dutch viewed the American Revolution favorably since it seemed to have an analogy to their own rebellion from Spanish oppression. American victory meant, they thought, a new source of commerce and wealth. The masses were friendly, but those who controlled politics wished to avoid war, because neutrality was important for Dutch trade. The French tried early to draw the Netherlands away from England, and they found a strong party in their favor. Though the States General issued a proclamation of neutrality, the Dutch traders did not cease to carry munitions of war to French ports, where they were exchanged for American commodities brought in American ships. Vast quantities of powder were thus shipped to America whereon the Dutch realized a profit of 120 per cent. Dutch commerce reached during the American Revolution a height never before attained. When the French attempted to build a navy with which to cope with England's naval power, Dutch ships brought the naval supplies from the northern countries. Repeated protests from England were heeded by the English party, but action was prevented by the French party in the United Provinces. England began at last to search Dutch ships and to seize contraband

goods, and after France allied herself with America, her government began to demand that the Dutch strengthen their navy and resist English aggressions. This the city of Amsterdam wished to do, but on the other hand the English party, stronger in other provinces, wished to strengthen the army, and to give to England the aid she asked in accordance with the terms of the treaty of 1674. Finally England's refusal to abide by the reciprocal terms of the same treaty, which gave the Dutch the benefit of the "free ships free goods" principle, caused the estrangement of the English party, and the French party gained control. When Catherine II. formed the Armed Neutrality to enforce the above principle, the Dutch were eager to enter the neutral league and to secure its protection, while England was quite as determined that this should not be, even assuring Russia that the British would respect the rule if the Dutch were not allowed to enter the league. When the Netherlands was about to succeed, the John Paul Jones affair and the Laurens treaty furnished England a pretext to declare war. This resulted in the ruin of Dutch commerce and a final unfavorable treaty. Thus the Dutch benefactors of France and the United States were, as a reward, the real and only victims of the American Revolution. This began her reduction to a dependent power.

C. H. VAN TYNE.

Américains et Barbaresques (1776-1824). Par E. Dupuy. Avec une préface de M. Arthur Chuquet, Membre de l'Institut. (Paris, R. Roger et F. Chernoviz, 1910, pp. iv, 356.) The concern of this foreign writer in our relations with the Barbary States is due in large measure no doubt to the long-continued interest of France in North Africa, but also to his evident and gratifying sympathy with our efforts to stamp out piracy in the Mediterranean. Nearly a third of the book is devoted to early correspondence, negotiations, and attempts to establish amicable relations with the barbarians. The attention given to this problem by John Paul Jones is brought out more fully than in any of his numerous biographies. A long and very interesting memorandum of Jones is presented, apparently written about 1785 or a little later. It is addressed to the French ministers, Vergennes and Castries, and points out the great advantage that France would derive from the occupation of North Africa, at the same time suppressing the piracy and slavery peculiar to that region. Jones offers his services for such an enterprise in command of a squadron or even of a single frigate. Present conditions in Barbary, as far as French influence extends, would seem to justify his foresight. A good deal of correspondence of French consuls and others in France and in Barbary, relating to American affairs, is also printed. Then comes a chapter on the organization of the United States navy and the voyage of Captain Bainbridge to Constantinople. This is followed by a number of chapters giving a full and satisfactory account of American naval operations in the war with Tripoli, the expedition to

Derne, and the negotiations with Tripoli ending in the treaty of 1805. The last two chapters deal with the war with Algiers in 1815 and the operations and negotiations of the following year, closing with some account of subsequent events down to 1824, with brief mention of the participation of France, England, and other nations in the affairs of Barbary. A few misprints will be found, chiefly in dates and other figures. Oliver H. Perry is confused with his brother, Matthew C. Perry, in being credited with the latter's famous mission to Japan. An appendix containing the treaties between the United States and the Barbary powers, in a condensed form, is followed by a bibliography. There is no index. It is to be hoped that this book will be widely read in France, for it would surely help to maintain a friendly interest towards us among our ancient allies.

G. W. ALLEN.

An Artillery Officer in the Mexican War, 1846-1847: Letters of Robert Anderson, Captain 3rd Artillery, U. S. A. (New York, G. P. Putnam's Sons, 1911, xvi, pp. xvi, 339.) These letters from a captain in what was called the "3rd Artillery" to his wife are so numerous that they practically make a diary. The writer distinguished himself in 1861 as the defender of Fort Sumter, and for that reason their first appeal is a personal one. It is interesting and satisfactory to note that Captain Anderson was a lover of peace, a sincere patriot, a brave and well-qualified soldier, a devoted husband, and a God-fearing man. Though he fully shared the feeling of the regular officers regarding the more or less political appointments of the administration (*c. g.*, p. 333), and in particular saw no justification for the treatment given Scott (*c. g.*, p. 319), and though he warned his wife that as matters were going he could scarcely expect promotion, he appears to have done his duty without regard to personal or professional dissatisfaction. About military operations, the letters do not tell as much as could have been desired. They were written mainly to cheer and entertain a lady who probably took no great interest in the art of war. Captain Anderson had charge of a battery at the siege of Vera Cruz and was on the edge of the battle at Cerro Gordo. He assisted in storming the *tête-de-pont* at Churubusco, and had a prominent part in what he called "the foully murderous tragedy" of Molino del Rey (p. 323). In the latter fight he was severely wounded, and such an account as he was able to give of the battle (pp. 311-313), though valuable, is of less importance than it might have been because the diagram to which it refers is not presented. Regarding the land, the cities, the people, and the daily incidents of army life, and in particular about the long stay at Puebla (pp. 170-280), the letters are full and very interesting. Some new light is thrown on the controversy between Scott and Worth, and noteworthy testimony as to the conduct of the volunteers—coming, as it does, from a regular officer by no means blind to their shortcomings—is frankly given. From Puebla he wrote (p. 208): "Very few acts have been committed, even

by the Volunteers, which have required and received chastisement" (see also p. 272). For reference use it would have been well to indicate the month and year of every letter. A few misprints are to be noted, such as "Avista" for "Arista" (p. 254), "Anton Lizards" for "Anton Lizardo" (p. 65), "Espirito" for "Espiritu" (p. 329). On page 295 Colonel Butler of the Palmetto Regiment is referred to as a "Captain", and "field of fortification" appears to mean "field fortification". The date at the top of page 172 is likely to mislead some readers. General Anderson's daughter, Mrs. Eba Anderson Lawton, contributes a brief introduction, for which one is grateful, but the account of Taylor's operations, quoted by her, is not very accurate.

JUSTIN H. SMITH.

Henry Dodge. By Louis Pelzer. [Iowa Biographical series, edited by Benjamin F. Shambaugh.] (Iowa City, Iowa, State Historical Society, 1911, pp. xiv, 266.) From boyhood in Missouri, as a hunter and Indian campaigner, during young manhood, when his military services extended over nine of the present states of the Mississippi Valley, and through the later period of his 85 years of life, as a frontier commonwealth builder in a time of turmoil and political excitement, Henry Dodge was adventurously active. Mr. Pelzer has been painstaking and successful in amassing data concerning Dodge's interesting ancestry, his turbulent youth, his numerous expeditions into the Indian country under government auspices, his connection with the Black Hawk War, and his later career as governor of the new territory of Wisconsin, last remnant of the old Northwest to be so organized, his removal as an offensive partizan and later reinstatement, and his election as a United States senator following the admission of Wisconsin to statehood in 1848. Mr. Pelzer marshals his facts compactly with fulness of detail. This kind of background fails, however, to throw into relief the dramatic figure which Henry Dodge undoubtedly was, even to his contemporaries. While the biographer in the main is just in his estimate of Dodge's character and services, an occasional tendency to superlatives may be noted, as when he says, "Under the legislative and administrative force of this family vast territorial empires of the West were transformed into territories and commonwealths with security, wealth and population". Mr. Pelzer's narrative is a valuable chapter on the formative period of state-making in the Old Northwest. If he has not made a stirring narrative of a life which embraced a stormy and unbridled youth and a dramatic manhood, tempered with a serene old age, he has gathered with conscientious completeness a mass of material disclosing "a cross-sectional view of life in the West in the first half of the nineteenth century". Perhaps the least satisfactory part of the biography, because of brevity, is that which deals with the factional quarrels that involved Dodge and Duane Doty, with their partizans, in a strife that profoundly affected the people of the new commonwealth in their political, social, and even business relations.

The Christiana Riot and the Treason Trials of 1851: an Historical Sketch. By W. U. Hensel. Second and revised edition. (Lancaster, Pa., published by the author, 1911, pp. ix, 158.) This volume is the best account so far written of the most famous fugitive slave case in the history of Pennsylvania. Besides documents and contemporary reports, the author has used with much discrimination manuscript accounts hitherto unknown, and has sifted a large amount of oral testimony and accidental information. His book is approximately a final account of the episode.

A satisfactory though somewhat slight chapter on fugitive slave legislation is followed by a description of conditions in Lancaster County in 1851, the hatred of kidnapping, the boldness of fugitives, and the irritation across the Maryland line. The story of the September riot, in which Edward Gorsuch lost his life, is by far the best account of the incident and the best part of the book. The history of the treason trials is full as regards personal incident, but in the matter of legal argument and principle, slighter than the importance of the subject demands. As a narrative of the events this book will hardly be superseded, though another historian may recast the story in different proportions.

The most serious fault is a tendency towards careless writing and unfortunate expression, and a consistent use of separated infinitives; though on the whole the writing is interesting and clear.

The statement is quite accurate—I have noticed very few errors: the act of 1826 did not establish the freedom of children born in Pennsylvania of escaped slaves (p. 7), the act of 1847 repealed the entire act of 1826 not parts of it (pp. 11, 57); and two misprints: Holloway should be Holloway (p. 7), Govaus should be Govans (p. 127). The book is beautifully printed and well illustrated. The author has done his work in a very satisfactory manner.

EDWARD RAYMOND TURNER.

Between the Lines: Secret Service Stories Told Fifty Years After. By Bvt.-Major H. B. Smith. (New York, Booz Brothers, 1911, pp. 343.) The author, during 1864 and 1865, was chief of the Secret Service of the Military Department which included Baltimore and Southern Maryland. The disloyal element in that department was large, powerful, and active. Communication with the Confederacy was unceasing; Southern soldiers, spies, and escaped prisoners of war, were cared for and passed to safety; and a traffic in contraband articles proceeded with almost the regularity of a legitimate commerce. This book is an account of Major Smith's experiences. His stories are perhaps most interesting in the evidence they give of the seeming ease with which so many men can be imposed upon, and their inability to keep their own counsel. A detective would present himself as a blockade-runner, and not only would he be sheltered and fed, but his host would straightway proceed to confide what he and his friends were doing, had done, and planned to do, to

outwit the government. Another detective would represent himself to be a Confederate officer escaped from a Federal prison, and immediately men, at great risk to themselves, would hide him, care for him, and guide him to safety, meanwhile telling him in detail of the assistance they and others had been able to give to Southern soldiers in distress.

It is evident that the book as written was intended for the author's immediate circle and there has been but slight revision. This may explain why more than a hundred official communications are quoted in full when in most cases a single sentence or a paragraph would have sufficed.

There is little in the book that will appeal to the student, and as Major Smith's duties failed to lead him into the zone of the fighting armies, the general reader will not find in his adventures the exciting interest usual in stories of the Secret Service.

Kansas in the Sixties. By Samuel J. Crawford, War Governor of Kansas. (Chicago, A. C. McClurg and Company, 1911, pp. xvii, 441.) The first governor of Kansas and the third have published books on the early history of that state. Robinson's *The Kansas Conflict*, which appeared twenty years ago, is mainly polemical, dealing chiefly with the "border ruffian" period and its controversies, while Crawford's *Kansas in the Sixties* is essentially autobiographical. Reaching the territory March 1, 1859—five years later than Robinson—Crawford began the practice of law at Garnett, a small, out-of-the-way hamlet in Anderson County. A profound peace then prevailed, following swiftly upon the exodus of Old John Brown and his caravan of fugitive negroes. If life ever grew flat or stale in the primitive democracy of new-comers at Garnett, the tedium could be readily broken by expeditions to the buffalo range beyond the Arkansas.

The period of tranquillity was rudely interrupted in 1861. A member of the first state legislature, at the opening of the Civil War, Crawford obtained leave of absence to raise a company of volunteers. During an active military service of three years and a half, first as captain and later as colonel, he participated in almost every engagement in the trans-Missouri warfare from the skirmish at Forsyth to the surrender of Marmaduke at Kline Creek. Among the Kansas soldiers of 1861-1865 there is no figure more attractive and distinguished than Colonel Crawford. He was a stout, resourceful, dashing fighter, and one or two brilliant charges, made without orders and on his own responsibility, like the capture of a Confederate battery at Old Fort Wayne, ought to have carried beyond a colonel's commission and that in a colored regiment. His narrative of military operations has the directness, the force, and the unconventionality of the frontier. Some errors may have crept into it; an unreconstructed partizanship—a survival of the sixties—may color it, yet as a series of battle pictures, as a contribution to a rela-

tively obscure period of Kansas history, it has a value altogether exceptional.

Late in 1864 Colonel Crawford reluctantly left the army to become governor of Kansas—an office which he held three years. Scarcely had the Civil War closed when a period of disastrous Indian raids began. Though the marauders had no leaders so able and adroit as Gerónimo or Sitting Bull they were troublesome antagonists and continued their depredations until 1869. In the autumn of that year a winter campaign was undertaken to bring the lingering and intolerable warfare to an end. Governor Crawford resigned his office to accept the colonelcy of a regiment of Kansas cavalry enlisted for the expedition at the request of the federal authorities. This winter campaign in a wild, roadless, unknown country is without a parallel, for difficulties and hardships, in the history of the army—if we may accept the dictum of General Sheridan. It was sad business, but it brought permanent peace to the frontier settlements of Kansas. The account of this campaign and the discussion of the Indian policy of the government are by no means the least interesting and valuable part of the book.

LEVERETT W. SPRING.

Moses Coit Tyler, 1835-1900: Selections from his Letters and Diaries. Edited by Jessica Tyler Austen. (New York, Doubleday, Page, and Company, 1911, pp. 325, vii.) This book is in effect an autobiography, the editor's contributions being limited to a short initial chapter and a few connecting paragraphs. In spite of many gaps, the letters and diaries form on the whole a coherent narrative of Professor Tyler's outer and inner life, and bring one into intimate touch with him.

The chief value of the book lies in this vivid self-portrait of a man of rare personality and of notable achievement as an historian of American literature. Throughout his long career as clergyman, lecturer, editor, and professor, his letters and journals give constantly the impression of a noble, sensitive, and vivacious nature. These hastily written pages have the raciness and humor which distinguish all his publications and make so delightful his treatment of even the dullest colonial writers. They also reveal an almost feminine delicacy of organization, which evidently lay at the bottom of his nice sense for human and literary values. The diaries show that he was passionately religious, and that at the height of his success as professor and author he was torn by a longing to resume the work of a clergyman. His conscientious thoroughness appears again and again—most strikingly, perhaps, in a letter to his publishers, in 1876, in which he says: "The only way in which I can write a *Survey of American literature* is actually to make a survey of it. . . . When I get the work done it will be real work and will stand. . . . The element of time is unspeakably inferior to the element of thoroughness." The union of such painstaking toil with so much brilliancy is all too rare—in historians or others.

The diaries also have value as a record of American university conditions in their relation to productive scholarship. Again and again they utter a cry of distress under the heavy burden of lecture-writing and class work, which delayed the *magnum opus* and wholly frustrated other plans. Certain entries about a faculty squabble, however, should have been excised.

To the general reader the most interesting parts of the work will be the descriptions of famous men at home and abroad. Grant, Sumner, Beecher, Bryant, Lowell, Matthew Arnold, Victor Hugo, and others are sketched with telling strokes. The portrait of Lowell in London, in 1882, is especially fresh and interesting. The vividness of the style may be seen in the following words about Grant in 1871: "His head is like a big bullet; his face had a look of illimitable determination and quiet strength; also quite plebeian. . . . His eye moved quickly when it moved at all, and then rested heavily upon whatever object it settled on. During the latter part, some one fainted in the back of the church and there was a momentary noise. Grant started quickly and turned quite around, with a startled look, as if personally suspicious of danger, and yet with an expression that could quell danger."

A few misprints should be corrected: "Calvanism" (p. 77), "Byrant" (p. 82), "Turkish" for "British" (p. 177).

WALTER C. BRONSON.

The Life and Labors of Bishop Hare, Apostle to the Sioux. By M. A. DeWolfe Howe. (New York, Sturgis and Walton, 1911, pp. 417.) William Hobart Hare, born at Princeton in March, 1838, was consecrated bishop of South Dakota and the neighboring territory, called Niobrara, in 1873. His biography is more than an important chapter in the history of civilization in the United States. It throws the white light of actual experience on Indian manners, customs, and traditions, and contributes much to the understanding of the relations between the government and the Indians. It suggests another book, *Lights and Shadows of a Long Episcopate*, by Bishop Whipple of Minnesota. Both are most important records of our early Western civilization; both disprove utterly that flippant saying, "There is no good Indian but a dead Indian"; and both testify to the present civilizing power of Christianity.

The book is crowded with anecdote and incident, while flashes of wit and humor alternate with touches of pathos and sentiment. By Bishop Hare's wise, tactful Christian influence, many a massacre was prevented or stopped even after it had been begun. Civilization came more quickly and surely for what he had accomplished. He believed in schools and established them, not for mere learning but to teach industry, trade, domestic service, and home-making. He did not believe in reservations, territorial, legal, or social, nor in anything that would tend to make "Indian life a solid foreign mass, indigestible by our common civilization". He took an active part in the social and moral issues fought out

in the West. He opposed prohibition and referred to such legislation as "going at the wen of intemperance with a dirk instead of with a surgeon's knife". The chapter dealing with the leading part he took in the legislation reforming the divorce laws of South Dakota is one of the most interesting and important in the book.

He was not only a hero, but a martyr, and sacrificed bravely his body and his life in the cause to which he had been consecrated. His last years were spent in partial blindness and keen physical torture, but he persevered to the end. Over his bed hung a copy of a prayer by Robert Louis Stevenson, with whom he had the sympathy of fellowship in heroic suffering nobly borne. He died in October, 1909, and, at his own request, was buried in Sioux Falls, amid the profoundest expressions of grief by the entire religious, political, and business community.

CHARLES L. WELLS.

Fifty Years of Public Service. Personal Recollections of Shelby M. Cullom, Senior United States Senator from Illinois. (Chicago, A. C. McClurg and Company, 1911, pp. xi, 467.) This book contains just about as many character sketches as there are pages. These are candid and sane, but include no interesting new facts or penetrating judgments. There are chapters on Senator Cullom's work on the committees on Interstate Commerce and Foreign Relations, but they are quite slight. There are a few letters, not heretofore published, of Secretary Hay, President Roosevelt, and Joseph E. Medill, editor of the *Chicago Tribune*. On the whole the book seems to contain nothing of interest for the historian. If Senator Cullom has ever seen anything that he who runs may not read, at least he does not reveal it here.

Of course such a book must be, to some extent, a self-revelation, but it certainly fails to reveal why Mr. Cullom has been five times chosen senator. He gives evidence of a prudent good judgment, but not of that shrewdness which was characteristic of many of his generation. His political conscience seems somewhat antiquated to-day, but fairly representative of the eighties. Perhaps the only clue one obtains to his long-continued political success is that on finishing the volume one feels a little sad at having to say these simple truths regarding it.

CARL RUSSELL FISH.

The History of Martha's Vineyard, Dukes County, Massachusetts. By Charles Edward Banks, M.D., Surgeon U. S. Marine Hospital Service. In two volumes. (Boston, George H. Dean, 1911, pp. 535; 661.) This work treats of a section of Massachusetts whose history is unique. The first volume is devoted to the general history of the county, the second to the annals of its seven towns, while the third, to be published, will contain genealogies of the more prominent families. The work is based on the sources, and shows extensive research in England, in the archives of New York, and in Massachusetts, county and town, records.

The first volume should be especially interesting to students of political and constitutional history, for the island did not belong to any chartered province, 1642-1664, and was an independent self-governing entity. While nominally a part of New York, 1665-1691, in fact it was practically independent. The political scientist will find here an account of a contest between the powers working for aristocratic and democratic control respectively. He will find unusual forms of county and town government and judicial administration, *e. g.*, at first, no body of freemen, denial of the suffrage, the union of legislative, executive, and judicial functions; later a body of freemen acting as an appellate court, an attempt to introduce manorial government, etc. These peculiarities were due to the isolated position of the island, the conflicting claims over the territory, and the struggle between the Mayhew family and the townsmen for political control. The missionary work of this family among the Indians is also of especial interest. In the second volume a large amount of space is given to detailed biographies of the early settlers, notwithstanding the plan of the third volume. Less space is accordingly given to accounts of the social and economic life of the people than one wishes. The work is remarkably free from errors of fact. Dr. Banks, who is neither a native nor a resident of the island, deserves the thanks of historical students for writing such a scholarly and, on the whole, satisfactory history of Martha's Vineyard.

M. W. JERNEGAN.

TEXT-BOOKS

History in the Elementary Schools: Methods, Courses of Study, Bibliographies. By W. F. Bliss, B.S., M.L., Dean of the Normal School and Head of the Department of History, State Normal School, San Diego, California. (New York, American Book Company, 1911, pp. 214.) The section entitled Courses of Study in Dean Bliss's book contains topics selected from primitive life for the first four grades, topics from medieval and early modern periods for the fifth and sixth grades, and a detailed outline of American history for the seventh and eighth grades. The author claims no credit for originality. He distinctly states (on pages 6 and 7) that the merit of the course is due to the suggestiveness of the work of others.

Only twelve pages are given to methods of instruction in primary, intermediate (fifth and sixth), and grammar grades. The author is evidently familiar with some of the best written discussions of methods applicable to both college and elementary work. Unfortunately, however, he seems to lack that first-hand experience with children so necessary to any adequate understanding of methods of instruction suitable for each stage of development. On pages 49 and 50 for instance in describing grammar grade work he says: "Pupils are expected to keep note-books . . . are encouraged to make brief abstracts of their readings and the lectures of the teacher. Here the first steps are taken in

the *research* or library method of studying history." The italics are mine.) The evils resulting from such suggestions if carried out in practice could scarcely be overestimated. Some of the author's suggestions are thoroughly psychological, but the teacher who has sufficient discernment to know what to accept and what to reject has no need for such a book. For the inexperienced it is neither stimulating nor safe.

The bibliographies do not contain comment sufficiently discriminating to inspire confidence. The book adds nothing of value to either the literature or the pedagogy of the subject.

S. A. DYNES.

Historical Atlas. By William R. Shepherd, Professor of History, Columbia University. (New York, Henry Holt and Company, 1911, pp. xi, 94; 216 plates.) As an atlas for college courses in European history many instructors in this country have found nothing more satisfactory than Putzger's well-known *Schul-Atlas*. But the German nomenclature is difficult and confusing to students. The attempt to obviate this by publishing it with a German-English index, as was done by an American publisher when it celebrated its well-deserved twenty-fifth anniversary with an enlarged *Jubiläums-Auflage*, was not really a success. Mr. Shepherd has done very much better. He has translated and adopted all that was best in Putzger, and added many excellent new maps of his own. He has made a well-proportioned and very serviceable atlas of general history in place of the old Putzger, which had an emphasis excessively German for any except German students. His maps range in time from the Mycenaean Age and the Assyrian Empire down to plates which show the levels and locks of the Panama Canal and the projected steamship lines which will be put into operation when the canal is opened. The maps are numbered, not according to folio sheets or plates, but like ordinary pages in a book, so that a full sheet, printed on both sides and folded once, represents four pages. Of the total 216 pages, aside from 18 which are blank, 33 are devoted primarily to ancient history, 123 to medieval and modern European history (including the expansion of Europe into Asia and Africa), 11 to English, and 31 to American history. Each of the fields is so well represented and the maps are so good that they ought to be adequate for ordinary undergraduate use in any history course.

Mr. Shepherd wisely gives more attention to physical geography than is usually the case in student atlases. There is a good map at the beginning showing the physical features of Europe, Western Asia, and Northern Africa, another of the British Isles, and another of North America; and many of the political maps have a background of physical features. We wish he had also included at the beginning a good map showing the physical geography of France, Germany, and Northern Italy, in greater detail than was possible on his small scale general map.

He recognizes the increasing interest in social and economic history,

as compared with purely political history, by good maps of London and its vicinity *ca.* 1300 A. D., of Paris and Versailles in 1789, of the medieval European and Asiatic trade-routes, and of England before and after the Industrial Revolution and before and after the Reform Bill of 1832. His plan of a medieval manor, though at first sight rather complicated for the eye of a college freshman, is really preferable to the excessively simplified hypothetical plans in some books, which never had any actuality and give no suggestion of the usual complexity of medieval agrarian arrangements. Church history is illustrated by two full-page maps showing the extension of Christianity to 1300 A. D. and the ecclesiastical divisions and religious houses in the Middle Ages; also by a ground plan of the monastery of St. Gall and by several small sketch-maps. Detailed maps of Baden and Württemberg, taken from Putzger, give some idea of the amorphous heterogeneity of the microscopic political units in the moribund Holy Roman Empire. In American history there are notable maps showing the territorial expansion of the colonies and the United States and the westward movement of population, and also a chart suggesting the relation of slavery to the growth of the staple agricultural products in the southern states. The other purely political maps are of a familiar kind and call for no special comment.

The maps were "made in Germany", and have the beautiful precision, the skilful simplification of exact detail, and the attractive color scheme which we have come to expect as a matter of course in German-made maps, but which a beneficent tariff has failed as yet to encourage in the United States, at least in maps intended for the commercial trade. It appears to be cheaper and certainly more satisfactory from an artistic point of view to do as Mr. Shepherd has done—take advantage of the highly skilled and relatively inexpensive labor of Germany, and let the American youth pay the 25 per cent. import duty.

The good index contains over 22,000 references, and is, so far as we have tested it, absolutely accurate.

SIDNEY B. FAY.

An American History. By David Saville Muzzey, Ph.D., Barnard College, Columbia University. (Boston, Ginn and Company, 1911, pp. 662.) This text-book for secondary schools is decidedly out of the ordinary in style, treatment, proportion, emphasis, and general atmosphere. It is written with a literary skill, a vigor and polish of style, that make it an easier volume to read than any other of the same scope and purpose. Not only has the author followed the prevailing tendency to emphasize economic and social history and the influence of the great westward movement, and to subordinate military affairs; he has been ruthless in dealing with matters of merely traditional value, thus finding much more space than is common for the matters he regards as of first-rate importance, while he is almost contemptuous in his summary handling of

most of our wars. The colonial period is disposed of in one-sixth of the space; the chapters covering the period since the Civil War occupy more than one-fifth of the book. One of the most striking features is the easy confidence with which the author passes judgment upon men and events from the early explorers to the Roosevelt policies.

Whether these characteristics are regarded with approval or not, the attention and care which the author has doubtless devoted to them are probably in part responsible for several unquestionable defects. The author's ready facility of expression, his liking for a somewhat ornate style, his skill in compacting information and meaning into a single sentence, frequently result in sentences that are too involved, too rhetorical, or too highly generalized for the immature readers for whom the book is intended. This same fondness for brilliance of form sometimes results in a wealth of adjectives or the sketching of a striking contrast that may not be altogether warranted. The treatment is also at times too philosophical for the ordinary high school student. The attempt to dispose of the military side of the Revolution in a few paragraphs prefaced with something like an apology for saying anything, has not been very successful. Dr. Muzzey is perfectly right in regarding military history as of minor importance. Yet it is as real as any other, and the student should acquire some notion of what war is like, and should give at least a part of the time available to this subject to grasping the general military problem of each belligerent as a basis for understanding the outline of campaigns that he reads; moreover, however little is done it ought certainly to be done with care. Dr. Muzzey's story of the war gives no general view of the problems and is at various points inaccurate in detail or misleading because of extreme condensation. For example, it was not Gage who was driven from Boston as the author twice asserts (pp. 135, 136); the British troops were not "turned back" at Concord bridge (p. 124); the North Carolina Regulators were not of the patriot party as implied on page 133, most of them becoming Tories; the story that Frederick of Prussia praised the brilliance of Washington's Trenton-Princeton campaign has, in the words of Charles Francis Adams, "been long since disproved"; St. Leger was not stopped by Herkimer (p. 137); Germantown was fought after the occupation of Philadelphia, not in defense of it (p. 138); the reference to Arnold's grounds for resentment (p. 141) is far from doing him justice, and on the same page Ferguson's Tory militia appear as "British regulars", with two other small inaccuracies; Washington's stroke at Yorktown involved a march of 400 miles instead of 300 (p. 143); and Cornwallis did not hand his sword to Washington (p. 144).

None of the foregoing points is vital, it is true, and most of them separately considered seem rather trifling; but when taken in connection with sixty or seventy other questionable or inaccurate statements throughout the book, even though most of them are immaterial, one is bound to feel that the author might have been more careful. Space

permits the mention of only a few of these: de Soto's exploration began in 1539, not in 1538 (p. 17); the papal bulls of demarcation were issued in May and September of 1493, not in 1494 (p. 20), though the latter was the date of the treaty of Tordesillas; the Maryland charter makes no mention of taxation by Parliament, the quotation from the charter is not exact, and the sentence declaring that the colony was again and again plunged into civil war because of religious strife is at least seriously misleading (p. 55); the statement about Mason and Dixon (p. 64) conveys the impression that the surveyors arbitrated the boundary line; the Navigation Acts required three-fourths, not two-thirds, of the crews to be English subjects (p. 70); the colonial Virginia county was not governed by parish vestries (p. 76); the tea landed at Charleston did not spoil in damp cellars, and the *Peggy Stewart* affair might have been mentioned with the others (p. 120); the French had been aiding the Revolution with money and supplies long before the treaty of 1778 (p. 139); the twelfth amendment to the Constitution does not provide for the election of president and vice president on "party ballots" (p. 204); the fight between the *Monitor* and the *Virginia* was not so one-sided as indicated on page 443; Pickett's splendid command at Gettysburg was not a "brigade" (p. 451); etc.

Dr. Muzzey has undoubtedly striven to be scrupulously fair. On the whole his view of the Revolution, however, is the traditional one of Bancroft: the rule of England was a "wretched failure", the Stamp Act "reduced their assemblies to impotent bodies and made their charters void", and "oppression" and "tyranny" are freely used. Dr. Muzzey's hatred of slavery is so intense that he rarely refers to it at any period of our history without a heated adjective or epithet: "infamous business", "disgrace and curse of human bondage", "horrible institution", "cancer of slavery", etc. This seems at least unnecessary. While much is said to show the South's side of the long controversy that culminated in Civil War, the author's sympathies are more than plain: the South fought for an "unworthy cause", its argument in 1860 was that of "the highway robber" (p. 409). Jefferson Davis indulged in "melodramatic bluster", and "our" is repeatedly applied to things Federal. The account of Reconstruction is excellent and on the whole eminently fair. While Dr. Muzzey's opinions are usually wise and just, it is doubtful whether the author of a school text is justified in telling his readers just what to think of everything and everybody, even for the five or ten years nearest to them.

It would hardly be just to conclude this review with a disparaging note. The author deserves great credit for his courage in blazing new trails and for the large measure of success with which he has met. A very careful and thorough revision (which the reviewer is informed is in progress) can make the book one of the best, if not actually first, in its field.

J. MONTGOMERY GAMBRILL.

COMMUNICATIONS

YALE UNIVERSITY, January 8, 1912.

TO THE EDITOR OF THE AMERICAN HISTORICAL REVIEW:

THE late Professor Edward G. Bourne was well known as one of the keenest of historical critics and it would perhaps be as well if this communication were headed "Another Instance of Bourne's Keen Criticism".

In 1889 there appeared a *Life of Martin Van Buren* by George Bancroft which excited some interest at the moment of its publication, but this interest quickly died down when the work was examined. The book appeared to be nothing more than a eulogy written many years before.

In an article in the *Christian Register*, December 17, 1891, Professor Bourne showed from internal evidence in the book that it must have been written about 1843-1844, after Van Buren took his stand on the tariff question in 1843 and before he announced his position on the Texas question in 1844. For purposes of illustration Professor Bourne was accustomed to use this book in his graduate course at Yale on "Methods of Historical Research and Criticism". In that course he had gradually established the date of composition more exactly. He finally concluded that the last incident mentioned in the work was the sympathy Van Buren had expressed for Ireland. The letter in which this sympathy was expressed was dated June 19, 1843, and was printed in *Niles' Register* of October 7, 1843. Bancroft's use of this incident would hardly have been permissible if the letter had not been printed. Accordingly the book was certainly written after June 19, and was probably written after October 7, 1843.

There was not the slightest reference to Van Buren's attitude on the annexation of Texas and it would seem incredible that it should have been omitted if his position were known. The letter in which Van Buren announced his position was dated April 20, 1844, and was printed in *Niles' Register* on May 4 (Professor Bourne does not seem to have been aware that the letter was immediately printed in the *Washington Globe*). Accordingly it was decided that the book must have been written before May 4 and probably before April 20, 1844.

The final conclusion was that Bancroft, then a rising politician, had written a campaign life of Van Buren, in the confident expectation that the latter would be nominated for the presidency in 1844. When the Democratic Convention, in May, 1844, decided to place Polk instead of Van Buren at the head of their ticket, this campaign biography lost its purpose. It was accordingly laid aside and was not made public until over fifty years later.

In volume XLII. of their *Proceedings* the Massachusetts Historical Society recently printed a series of extracts from the Van Buren-Bancroft correspondence, and the Library of Congress has just published a *Calendar of Van Buren Papers*. From these collections the following significant items are taken:

On March 28, 1844, Bancroft wrote to Van Buren upon the progress he was making on the sketch of the latter's life.

On April 16, 1844, Bancroft wrote to Van Buren that the sketch was finished.

On June 14, 1844, Bancroft wrote to Van Buren concerning the outcome of the Baltimore Convention, and adds in a postscript:

"I have many personal causes for regretting the result; but do not include among them the weeks I gave to the more particular study of your political career. The present ceases to be the fittest moment for the publication of the little sketch I had prepared. Hereafter, it may be divested of its character as an occasional ["political electioneering" crossed out] document, may be made more personal, and will perhaps have a higher and more lasting interest, than if it had been printed now. A book circulated on the eve of an election would have had suspicion cast on it: by and by we may appeal to the honest forum of humanity."

The information is sufficiently important to warrant attention being called to it, and it is equally interesting as confirming Professor Bourne's methods and accuracy.

MAX FARRAND.

ROCHESTER, NEW YORK, December 1, 1911.

TO THE EDITOR OF THE AMERICAN HISTORICAL REVIEW:

My dear Sir:

It was highly gratifying to me to see the AMERICAN HISTORICAL REVIEW (October, 1911, p. 192) recognize that my work, *Religion in New Netherland*, is "the first serious attempt at interpretation of the religious development of the province of New Netherland in the light of modern research in the field of religious history of the mother country" and also that "not much fault is to be found with the general narrative of events" in regard to the religious history of the colony. While very grateful for the corrections so kindly made, I cannot admit the exception taken against my review of the religious history of the Dutch Republic in chapter I. on the ground that "the picture of religious persecutions [of Catholics and Arminians] is hardly in accordance with the facts", as "this chapter fails to take account of the contrary views expressed by Robert Fruin in his *De Wederopluiking van het Katholicisme* and by Dr. L. Knappert in '*De Verdraagzaamheid in de Republiek der Vereenigde Nederlanden*' (*Tijdspiegel*, 1907), which show that many of the oppressive ordinances cited by the author were never executed."

The fact that the oppressive ordinances were not always executed is intimated on page 20 of my work in regard to the placard of June 23, 1587, frequently renewed later precisely on account of its infraction; it is expressly stated on pages 24, 31, 34 in regard to Catholics, on page 28 regarding Arminians, and on page 31 regarding other dissenters.

A careful analysis of the authorities cited against me fails to disclose the contrary views alleged. Fruin's work only *incidentally* refers to the Arminian controversy, for which he attempts an apology by insisting *unduly* on differences between Dutch Jesuits and secular priests anent some cases of conscience, really of minor importance when compared with the issues at stake among the Dutch Reformed. In regard to the Catholics there is no difference between Fruin and the author as regards the *facts* for the period studied by Fruin, who does not push his investigation beyond the first years of the seventeenth century while my book carries on the study for fifty years more. He expounds correctly, but with an unnecessary apologetic and polemic tone, the religious policy of the Dutch Republic, which thought it could force a gradual extinction of Catholicity by a system of harassing measures that the magistrates, it is true, at times only held as a scourge over the heads of the Catholics and that the Catholics at times were able to escape through the venality of the Dutch officials subject to the national Dutch passion of the time-greed for money, as Fruin puts it. (Cf. Fruin, *o. c.*, pp. 41-45 and Knappert, *l. c.*, pp. 261-264.)

In regard to Dr. L. Knappert I can only commend a careful reading of his article with full confidence that the earnest student will not fail to find much there to confirm my view. No more telling criticism can be found of Fruin's attempt to maintain the "high sounding phrase" ("klinkende frase"): "In our Republic the Catholic enjoyed, I repeat it, full freedom of conscience" ("In onze republiek genoot de katholie, ik herhaal het, volledige gewetensvrijheid") (*o. c.*, 36) than the words of Dr. Knappert (*l. c.*, p. 248). "Also with us there was no place as yet for absolute freedom of conscience, and *measured by our concept of the present day, Catholics had certainly no freedom . . .* According to modern standards the policy (die theorie) was certainly oppressive. Although different in various provinces, severer at one time than at another, it amounts, however, on the whole to this: Catholics had no equal rights before the law, could hold no public offices; they were personally unmolested in their religious convictions, but the common, public exercise of worship was not granted them, no mass, no [sacrament of] confirmation, no participation in pilgrimages; their sons could not study at foreign Catholic universities; their marriages had to be contracted before the Schout and the Schepens, yes, in the Common Lands, for a time, even before the Reformed Preacher: here and there their children were even forced to attend the Reformed school, and their priests, as soon as they appeared in public, were

punished with banishment and confiscation of their goods." Here there is clearness of definition, which American historiography has persistently avoided in this question, and which, I hope, will now make its way into American historical literature.

Sincerely yours,

FREDERICK J. ZWIERLEIN.

NOTES AND NEWS

The Board of Editors have, with deep regret, to chronicle the resignation of Professor William Milligan Sloane. Professor Sloane has been a member of the Board from the foundation of the REVIEW in 1895; indeed, he was chairman of the conference in the spring of that year, by which the REVIEW was instituted. Throughout these seventeen years his interest in its fortunes has been untiring, and the journal owes to him, both in historical and literary matters and in those relating to its business affairs, a greater debt than can be expressed in a brief paragraph. Acceptance of office by the successor, now abroad, who was elected in his place by the Executive Council of the American Historical Association, has not yet been received; in the meantime Professor Sloane continues to serve.

AMERICAN HISTORICAL ASSOCIATION

The Committee on Publications has decided to place the volumes of *Papers* and *Annual Reports* now in stock on sale to members at a considerable reduction in price. Bound volumes of the *Annual Reports* will be supplied, so far as they are on hand, at one dollar a volume. Bound volumes of the *Papers*, of which it will be remembered that five volumes were published between 1885 and 1889, will be supplied at two dollars each, unbound copies at a dollar and a half. A considerable number of reprints from the *Papers* and *Annual Reports* are also on hand and these will be supplied at varying prices depending upon the size of the reprint. A price list is being prepared which will be sent to members upon application.

Arrangements on the part of the Association for the continuance of the *History Teacher's Magazine* have been completed, the needful subvention having been supplied by a grant of \$600 from the treasury of the Association and by a subscription of equal amount from two societies of history teachers and from some seventy-five individual guarantors. The *Magazine* will continue to be edited by Dr. Albert E. McKinley of Philadelphia and to be published by the McKinley Publishing Company, 1619 Ranstead Street, Philadelphia. The issue made in September, 1910, being counted as number 1 of volume III., that of February, 1912, elsewhere noticed, is number 2 of that volume, and the volumes will hereafter run with the calendar years. The agreement made by the Association is to continue for three years. In pursuance of it, the Executive Council of the Association has appointed an advisory committee of six members: Professor Henry Johnson of Teachers' College, New York, chairman, Professor Fred M. Fling of Nebraska, Miss Blanche E. Hazard of the Boston High School of Practical Arts, Professor George C. Sellery of Wisconsin, Professor St. George L. Sioussat of Vanderbilt

University, and Dr. James Sullivan of the Brooklyn Boys' High School. The annual subscription to the *Magazine* is raised to \$2.00, but members of the American Historical Association and of regional and local history teachers' associations can obtain it for \$1.00 by application made directly or through the secretaries of their organizations.

In accordance with the usual alternation in the prizes offered by the Association, the present is the year for competition for the Justin Winsor Prize. That prize, of \$200, is given for a monograph based upon independent and original investigation in American history, by which is meant the history of any of the British colonies in America to 1783, of the United States and its acquisitions, and of independent Latin America. The monographs must be submitted to the committee of award on or before July 1, 1912. A circular giving full information may be obtained by application to the chairman of the committee, Professor Claude H. Van Tyne, Ann Arbor, Michigan, to whom all correspondence should be addressed.

Professor Wallace Notestein's Adams prize essay on the *History of English Witchcraft*, and Professor Edward R. Turner's Justin Winsor prize essay on *The Negro in Pennsylvania* have after unusual delays been published by the American Historical Association. It is expected that Miss Brown's essay on the *Political Activity of the English Baptists and Fifth Monarchy Men during the Interregnum* can be brought out in the autumn.

In the series *Original Narratives of Early American History* we have to note the publication of *Original Narratives of Early Pennsylvania, West New Jersey, and Delaware*, edited by Mr. A. C. Myers. The next volume, to be issued next autumn, will be the *Journal of Dankers and Sluyter, Labadist missionaries, 1679-1680*, edited by Rev. B. B. James.

Writings on American History for 1906, 1907, 1908, and 1909 will be supplied to members of the Association until the stock on hand is exhausted, at the rate of one dollar a volume.

PERSONAL

Professor Felix Dahn, historian, novelist, and poet, died at Breslau on January 3, 1912, at the age of seventy-seven. Though most widely known as a novelist, one of his novels having passed through more than thirty editions, he has long been of high repute among historical students by reason of works on the earlier portion of German medieval history, especially by his important treatise, *Die Könige der Germanen*, of which the first volume was published in 1861, and the twelfth in 1909. He also contributed volumes, upon his special period of the early Middle Ages, to the Oncken series and to that of Heeren and Ukert (Lamprecht).

Dr. Frederic Seebohm died on February 6, aged seventy-eight. A Quaker banker, he early published a work on Colet, Erasmus, and More

(1867) which he entitled *The Oxford Reformers of 1498*. His chief book, *The English Village Community* (1883), followed by *The Tribal System in Wales* (1895) and *Tribal Custom in Anglo-Saxon Law* (1902), did much to establish new tendencies in the history of English institutions, marking the reaction from the ultra-Teutonic school of forty years ago.

Professor Oswald Holder-Egger died on November 1, at the age of sixty. He had been connected with the work of the *Monumenta Germaniae Historica* from its organization in 1875 to the time of his death, had been for many years in charge of the section *Scriptores*, and had edited many of the chronicles published in that series.

Sir James M. Lemoine of Quebec, author of *Quebec, Past and Present* (1876), and of other agreeable writings concerning the history of his city, died there on February 5, at the age of 87.

Dr. J. Holland Rose is teaching at Harvard University during the present half-year and lecturing at the Lowell Institute on the Personality of Napoleon.

Professor E. D. Adams of Stanford University will teach at Harvard during the summer.

Dr. Agnes Hunt and Dr. John C. Hildt have been promoted to the grade of associate professor in Smith College.

Dr. David S. Muzzey has been promoted to the grade of associate professor at Columbia University.

Professors Carl Becker and John H. Latané and Dr. Frank B. Marsh are to teach during the summer session at the University of Michigan, Professors Karl F. Geiser and Eugene I. McCormac at the University of Illinois.

GENERAL

It is reported from London, as having been virtually decided, that the International Historical Congress arranged for September, 1913, will instead be held at Easter of that year.

Professors Franklin H. Giddings and James T. Shotwell of Columbia, as editors in chief, are preparing *The Encyclopaedia of Original Documents*, to be published by the Columbia University Press and to present, in twenty volumes, in the English language, a comprehensive and scientifically arranged collection of the essential documents and other sources underlying the history of Western civilization, together with those influences of the East which have been factors in the history of the West. A full prospectus can be had from the publishers.

Professor E. Spranger is the author of a general introductory bibliographical review of "Allgemeine Kulturgeschichte und Methodenlehre" in the *Archiv für Kulturgeschichte*, IX. 3.

The first volume in Abteilung 2 of Teil II. of Professor Paul Hinneberg's *Die Kultur der Gegenwart* is entitled *Allgemeine Verfassungs-*

und Verwaltungsgeschichte, pt. 1, in the writing of which have cooperated A. Vierkandt, L. Wenger, M. Hartmann, O. Franke, K. Rathgen, and A. Luschin von Ebengreuth (Leipzig, Teubner, 1911, pp. vii, 373). The volume comes from the earliest historic periods to the fall of the Holy Roman Empire and includes Asiatic as well as European states.

The *Revue Historique* has published in a pamphlet of 145 pages a *Septième Table Générale*, formed on the model of the preceding general indexes and covering the years 1906-1910 inclusive (volumes XC.-CV.).

The fourth International Congress for the History of Religions will convene in Leyden in September; the third International Congress of Archaeologists will be held in Rome, October 9-16. The secretary of the former is Professor Benno Erdmanns, no. 71 Plantsoen, Leyden; of the latter, Professor Lucio Mariani, Piazza Venezia 11, Rome.

The *History Teacher's Magazine* offers in its February issue a number of instructive articles pertaining to the work of teaching. Professor Lucy M. Salmon presents a thoughtful discourse on "The Evolution of the Teacher", criticizing the conditions which make the teacher of history a mere purveyor of information and making a plea for a larger measure of research and productivity on his part. Mr. David S. Muzzey, in a paper entitled "How Modern shall we make our Modern History?" probes keenly into certain defects in the usual methods of teaching history and insists upon vitalizing the past by relating it to the problems of the present. Under the caption "The New Age", Professor Henry L. Cannon discourses upon the growing unity of mankind, and Mr. J. M. Gambrill discusses "History in the Elementary Schools". In the March number appear an interesting account of the "Inscribed Stones in the Washington Monument", by Arthur C. Cole, and a paper on "History in the Normal Schools", read by Carl E. Pray before the history teachers' section of the American Historical Association at the Buffalo meeting.

Another series of volumes of condensed knowledge has been launched by the Cambridge University Press (American agents, G. P. Putnam's Sons), the *Cambridge Manuals of Science and Literature*. Of the volumes already issued three of more or less interest to historical students are *The Wanderings of Peoples*, by Dr. A. C. Haddon, university reader in ethnology, Cambridge, *King Arthur in History and Legend*, by Professor W. Lewis Jones of Bangor, and *Early Religious Poetry of Persia*, by Professor James H. Moulton of Manchester. The volumes are attractive in appearance and are furnished with bibliographies which, though slight, are sufficient to check the authors' statements and to furnish suggestions to the reader who wishes to follow the subject further.

The *Home University Library of Modern Knowledge* (Holt) has added two volumes to those dealing with history already mentioned,

The Dawn of History, by Professor J. O. Myres, and *The Civil War*, by Professor F. L. Paxson. The latter is the first of five volumes on American history which are to be included in the series.

Political Unions, the Creighton lecture delivered in the University of London, November 8, 1911, by Herbert A. L. Fisher, is a valuable comparative study of all the more important political unions of modern times but principally of South Africa, Australia, Canada, and the United States (Oxford, the Clarendon Press, pp. 31).

The Macmillan Company publish *The New History and other Essays in Modern Historical Criticism*, by Professor J. H. Robinson. Professor Robinson's aim is "to illustrate some of the ways in which the study of man's past as now understood can be brought into relation with the great problems which the present generation is called upon to solve".

Professor A. D. Xenopol contributes to the *Revue du Mois* for February 10 an article entitled "La Synthèse en Histoire d'après M. Henri Berr", in which he discusses the positions taken by M. Berr in the volume with this title recently published by Alcan.

The December *Bulletin* of the New York Public Library contains a valuable list of the works in that library relating to witchcraft in Europe, and another of works relating to the Isle of Man.

The historical maps of Meyer's *Konversationslexikon* have been published in one volume under the title *Meyer's Historischer Handatlas*. There are 62 main sheets with numerous minor ones, 22 being devoted to ancient, and 40 to the medieval and modern periods. Special attention is naturally given to German history and to nineteenth-century warfare. Individual indexes are appended to the chief maps making the volume (octavo) very convenient in use.

An important contribution to geographical history is furnished in E. Wellers' *August Petermann: ein Beitrag zur Geschichte der Geographischen Entdeckungen und der Kartographie im 19. Jahrhundert* (Leipzig, Otto Wigand, 1911, pp. x, 284). It forms Band X. of R. Stube's *Quellen und Forschungen zur Erd- und Kulturkunde*.

Dr. Paul V. Neugebauer's *Stern Tafeln von 4000 vor Chr. bis zur Gegenwart zum Gebrauch für Historiker, Philologen, und Astronomen* (Leipzig, J. C. Hinrichs, 1912, pp. 85) gives the position of some 300 stars at intervals of 100 years from 4000 B.C. to 1900 A.D.

ANCIENT HISTORY

Professor Ettore Pais presents in the *Rivista d'Italia* for November, 1911, a comprehensive survey of modern progress in his especial field, read at an Italian scientific congress, under the title "La Storia Antica negli ultimi Cinquanta Anni".

A record of the civilization of Palestine from about 2500 B.C. to

the time of Christ is presented in *The Excavation of Gezer, 1902-1905 and 1907-1909*, by Professor R. A. Stewart Macalister, the director of the excavation. About 4000 objects are represented by photographs and plates. The publisher is John Murray.

J. C. Hinrichs of Leipzig has published two volumes of *Die Palästina-Literatur* (1911, pp. 204), a well-indexed international bibliography of books and articles on Palestine in all its aspects, supported by various societies devoted to Palestinian studies, and edited by Dr. Peter Thomsen. The first volume covers the product of the years 1895-1904, the second, of those from 1905 to 1909.

In the *Vorderasiatische Bibliothek* Professor Franz H. Weissbach has published *Die Keilinschriften der Achämeniden* (Leipzig, Hinrichs, pp. lxxxiv, 160).

Professor Eduard Meyer has followed up his more professional papers on the Aramaic papyri of Elephantine by an exposition of the whole matter for the general reader, *Der Papyrusfund von Elephantine* (Leipzig, J. C. Hinrichs, 1912, pp. 128), in which he treats, in his masterly manner, of Elephantine and the papyri, of their linguistic characteristics, of the condition of Egypt under the Persians, of the Jewish colony in Elephantine, and of all the light which the papyri cast upon the religious development of that community and the parallel development at Jerusalem. An appendix treats of the story of the Wise Ahikar in the light of the new manuscripts. For a full exhibit of the whole material resort must be had to Dr. Eduard Sachau's *Aramäische Papyrus und Ostraka aus Elephantine*, a quarto book of 75 photographic facsimiles with 290 pages of text, published by the same firm.

The 45th fascicle of Saglio and Pottier's *Dictionnaire des Antiquités Grecques et Romaines* has been recently issued, forming the second part of tome IV. (pp. 1457-1601), and proceeding from *stamnus* to *syrix*. The death of M. Saglio was announced in December.

A recent study of considerable immediate interest is W. Thieling's *Der Hellenismus in Kleinafrika* (Leipzig, Teubner, 1911, pp. xii, 216). It is based mainly on the inscriptions, and comes down to the Arab invasion, special attention being given to the spread of Roman influence and of Christianity. Some severe strictures on the book appear in the last issue of the *Byzantinische Zeitschrift*.

From the Cambridge University Press has come part I. of a *History of Roman Private Law*, by Dr. E. C. Clark, regius professor of civil law, dealing with the primary and secondary sources for the study of Roman private law.

B. G. Teubner of Leipzig announces the publication of *Das Nachrichtenwesen des Altertums mit besonderer Rücksicht auf die Römer*, by Dr. Wolfgang Riehl. This is asserted to be the first effort to investigate

the historical development in this field, and deals with both the methods and the products of the impulses to communication.

Miss Selatie E. Stout, in a Princeton dissertation on the *Governors of Moesia* (Princeton, pp. xii, 97), has with much scholarship laid a solid basis for the history of the province from its conquest to the beginning of the reign of Diocletian, by stating and discussing all the passages in the original sources, narrative and epigraphic, which relate to the successive rulers of the province and its divisions.

Noteworthy articles in periodicals: Rudolf von Scala, *Die Anfänge Geschichtlichen Lebens in Italien* (Historische Zeitschrift, CVIII. 1); E. Kornemann, *Die älteste Form der Pontifikalannalen* (Klio, XI. 2); A. von Premerstein, *Untersuchungen zur Geschichte des Kaisers Marcus* (ibid., 3).

EARLY CHURCH HISTORY

The Prussian Academy, through its Kirchengväter-Commission, has lately published Theodoret, ed. L. Parmentier (Leipzig, Hinrichs, pp. 427), and the *Chronicle* of Eusebius, translated from the Armenian (pp. lvi, 320), ed. Joseph Karst.

Mgr. Duchesne's *Early History of the Christian Church*, volume II., is announced by Mr. John Murray as among the spring books. The work, in the Italian translation of its French original, has been proscribed by the Congregation of the Index.

The *Geschichte der Altchristlichen Literatur* of Professor H. Jordan of Erlangen (Leipzig, Quelle and Meyer, 1911, pp. xvi, 521) takes rank immediately among Catholic scholars as a standard treatise, marked by originality as well as learning.

MEDIEVAL HISTORY

Volume II. of the *Cambridge Medieval History* is promised for early publication by the Macmillan Company with the title *The Rise of the Saracens and the Foundations of the Western Empire*.

Forod's *The Byzantine Empire* is not much longer than Oman's well-known sketch in the *Story of the Nations* series; it contains far more statements of fact, frequently incorrect, but is not as well written. It is confined mainly to the political and military events, and does not throw much light upon the real and great services of the Empire to European civilization. It lacks a bibliography and foot-notes citing authorities, and it is of little service to students.

Valentine de Milan, Duchesse d'Orléans (Plon) by Émile Collas, is a minute history of the life of Valentine of Milan and its connection with the fortunes of France.

An important topic in the later history of medieval Catholicism and in that of the Reformation is treated with abundant scholarship by Dr.

H. De Jongh in his *L'Ancienne Faculté de Théologie de Louvain au Premier Siècle de son Existence, 1432-1540* (Paris, Roger and Chervin, 1911, pp. 268, 90, xlvii).

Noteworthy articles in periodicals: Paul Allard, *Les Origines du Sacerdote*, IV. (*Revue des Questions Historiques*, January); N. Paulus, *Die Wertung der weltlichen Berufe im Mittelalter* (*Historisches Jahrbuch*, XXXII. 4); J. Haller, *Die Karolinger und das Papsttum* (*Historische Zeitschrift*, CVIII. 1); William Turner, *John the Scot* (*Catholic University Bulletin*, February); G. Buschbell, *Papsttum und Untergang des Templerordens* (*Historisches Jahrbuch*, XXXII. 3).

MODERN EUROPEAN HISTORY

The Hispanic Society of America has in press the *Genoese World Map, 1457*, to be published in facsimile in colors and in size of the original, with critical text (approximately 100 pp.) by Dr. Edward L. Stevenson. This is number 3 of the series of which the maps of Hondius and Canerio are numbers 1 and 2 respectively.

It is late, but we hope not too late, to mention the issue of the third volume of Father Conrad Eubel's standard *Hierarchia Catholica Medii Aevi* (Münster, Reyensberg, 1910, pp. viii, 384), prepared by him and by Father Willem van Gurik, and embracing in its lists of cardinals and bishops the whole sixteenth century from 1503, where the second volume ended.

F. Alcan, of Paris, has published a revised and enlarged second edition of Ernest Lemonon's *L'Europe et la Politique Britannique, 1882-1911*, with an appendix on the recent British constitutional crisis and a preface by M. Paul Deschanel.

Besides the German translation mentioned in a former issue, the Russian general staff's history of the Russo-Japanese War is rapidly appearing in a French translation, *Guerre Russo-Japonaise*, of which the third tome (Paris, Chapelot, two volumes, pp. 586, 458), extending to the end of the battle of Liaoyang, has lately appeared.

The *History of the Russo-Japanese War*, prepared by the general staff of the Japanese army, is to be published through the Army Club at Tokio, in ten volumes of about 8,000 pages, brought out at intervals of two months, the first in May, 1912, the last in October, 1913. There will be also ten volumes of maps, published at the same time, and embracing 800 maps.

Noteworthy articles in periodicals: J. F. Chance, *The Treaty of Charlottenburg* (*English Historical Review*, January); C. K. Webster, *Castlereagh and the Spanish Colonies, 1815-1818* (*ibid.*); F. Ch. Roux, *La Russie, la France, et la Question d'Orient après la Guerre de Crimée* (*Revue Historique*, March-April); P. Muret, *La Politique Française*

dans l'Affaire des Duchés et les premiers Essais d'Intervention Européenne jusqu'à l'Invasion du Slesvig, II. (Revue d'Histoire Moderne et Contemporaine, November-December); Richard Fester, *Neue Beiträge zur Geschichte der Hohenzollerischen Thronkandidatur in Spanien*, I. (Historische Vierteljahrschrift, XV. 1); F. Rachfahl, *Das Judentum und die Genesis des modernen Kapitalismus* (Preussische Jahrbücher, CXLVII. 1).

GREAT BRITAIN

The Camden Miscellany, volume XII. (London, Royal Historical Society, 1910 [1911], pp. x, 296) contains two London chronicles from the collections of John Stow, edited by Mr. C. L. Kingsford, relating chiefly to the reign of Edward VI.; a life of Sir John Digby, brother of Sir Kenelm Digby, from a manuscript in the National Library at Paris; a brief narrative of the insurrection of 1685 by Adam Wheeler, a drummer in the Wiltshire militia; and 100 pages of documents on common rights at Cottenham and Stretham in Cambridgeshire, edited by Archdeacon Cunningham.

Professor George B. Adams of Yale is preparing for publication by the Yale University Press a work on *The Origin of the English Constitution*.

Volume I. of *The Glastonbury Lake Village: a Full Description of the Excavations and the Relics Discovered, 1892-1907*, by Arthur Bulleid and Harold St. George Gray, recently published by the Glastonbury Antiquarian Society, is a valuable record of 15 years' work performed under the highest scientific auspices and exhibiting fully the appliances and life of a village of the early iron age numbering probably some 300 persons.

The Great Days of Northumbria, by J. Travis Mills (Longmans, 1911, pp. vi, 214) consists of three lectures dealing with the politics, the religion, and the learning of Northumbria from the close of the sixth to the beginning of the ninth century. The lectures, two of which were delivered at the annual meeting of the Cambridge University Extension students, are of slight substance and can be of little interest to students.

Early Norman Castles in the British Isles, by Mrs. E. Armitage (John Murray), is an attempt to prove that the castles built by the Normans in the British Isles were earthworks with wooden buildings upon them. Its numerous illustrations make it an aid in the study of castle architecture.

Mr. William George Black's *The Civil and Ecclesiastical Parish in Scotland: its Origin and Development*, a body of lectures delivered at the University of Glasgow, is an argument intended to prove that the Scottish parish originated with a civil rather than a religious community.

Messrs. Putnam, as agents for the Cambridge University Press, announce *Royal Charters of the City of Lincoln, Henry II. to William III.*, transcribed and translated with an introduction by Mr. Walter de Gray Birch.

The Pipe Roll Society has published *The Great Roll of the Pipe for the Twenty-Ninth Year of the Reign of Henry II.*, 1182-1183, edited by Mr. J. H. Round.

A new series of historical dissertations, the *Jenaer Historische Arbeiten*, edited by Alex. Cartellieri and Walther Judeich, is opened with a study by Dr. Rudolf Jahncke entitled *Gulielmus Neubrigensis, ein Pragmatischer Geschichtsschreiber des zwölften Jahrhunderts* (Bonn, A. Marcus and E. Weber, 1912, pp. 160). It is the author's doctoral dissertation, and is devoted to the examination of William of Newburgh's *Historia Rerum Anglicarum*, a work which is credited with historical acumen far above the medieval average.

One of the most recent of "source books", *A Hundred Years of History, 1216-1327*, by Miss Hilda Johnson, assistant lecturer in history at the University of Manchester (Longmans, 1912, pp. xv, 292) avoids the scrappy effect usual in books of its kind by presenting, in translation, a connected narrative.

Harvard University announces the immediate publication (Longmans) of a *History of the British Post Office*, by Professor J. C. Hemmion of McGill University.

The Administration of the English Borders during the Reign of Elizabeth, by Charles A. Coulomb (Philadelphia, University of Pennsylvania), presents a valuable study of the administrative conditions in the Welsh and Scottish Marches during this period.

The Catholic Record Society, continuing a work begun in 1878, has issued to its members the Third, Fourth, and Fifth Diaries of the English College of Douay, edited by Dr. Edwin Burton of St. Edmund's College and the Reverend Thomas L. Williams. Search is being made for the lost Sixth Diary.

Professor Charles H. Firth has brought out a second edition of his invaluable book on *Cromwell's Army* (London, Methuen, pp. xviii, 444). No serious changes have been made from the edition printed in 1902, but references have been made to such literature of the subject as has since been published.

The Beginnings of Quakerism, by William Braithwaite, president of the Woodbrooke Settlement, near Birmingham, is published by the Macmillan Company with an introduction by Professor Rufus M. Jones, and is expected to take rank as the standard work on the early history and development of Quakerism.

Mr. John Murray announces the *Life of James, First Duke of Ormonde, 1610-1688*, by Lady Burghclere, and a series of lectures on

The Decline and Dissolution of the Moghul Empire, by Mr. Sidney J. Owen, reader in Indian history at Oxford.

The author of *The Life of Admiral Lord Anson, the Father of the British Navy, 1697-1762* (Murray), Mr. Walter Vernon Anson, gives a picture of home and foreign politics of the period as well as the story of Lord Anson's life.

Though its chief emphasis is on the development of economic thought, *The Trade of the East India Company from 1709 to 1813*, by Mr. F. P. Robinson (Cambridge University Press) is of some interest to general students of history.

Among the recent publications of Messrs. Longmans is a new issue of May's *Constitutional History of England since the Accession of George III.*, to which a third volume, covering the period from 1860 to the present, has been added by Mr. Francis Holland.

Longmans have brought out volumes I. and II. of *The Eve of Catholic Emancipation: being the History of the English Catholics during the first Thirty Years of the Nineteenth Century*, by Bernard Ward. A third volume is to appear.

Volume VII. of Mr. J. W. Fortescue's *History of the British Army* is to be issued by Macmillan this spring.

The Ricardian Socialists, by Dr. Esther Lowenthal of Smith College (Columbia University Studies, vol. XLVI., no. 1, New York, Longmans, 1911, pp. 105), is an attempt to estimate the scientific element in the reasoning of William Thompson, John Gray, Thomas Hodgskin, and John Francis Bray.

The Life of Cardinal Newman, by Mr. Wilfrid Ward, based on the cardinal's private journals and correspondence, has just been issued by Longmans, Green, and Company.

The Scottish History Society intends before long to issue the second volume of the Diary of Johnstone of Wariston, a volume on the Scots in Poland, the Accounts of the Chamberlains and Granitars of Cardinal Beaton, and Bailie Stuart's Letter-Book.

The New Spalding Club has issued to members the first volume of *The Records of Inverness* and the third of *The House of Gordon*. The society expects to issue the second volume of the former before long and also, in due course, a volume dealing with Agriculture in Northeastern Scotland, a volume of Selections from the Records of the County of Banff, a Bibliography of the Shires of Aberdeen, Banff, and Kincardine, the second volume of Father Forbes Leith's Records of the Scots College, and a book on the rise of natural science in the north of Scotland by Professor Traill.

The National Library of Wales has issued (Aberystwyth) a *Catalogue of Tracts of the Civil War and Commonwealth Period relating to*

Wales and the Borders, which, though in this first edition not perfect, is a valuable aid to students of this period.

British government publications (Historical Manuscripts Commission): *Report on the Manuscripts of Lord Middleton* [medieval], ed. W. H. Stevenson; *Report on the Manuscripts of the Earl of Denbigh*, part V. [1537-1787], ed. Mrs. S. C. Lomas; *Calendar of the Manuscripts of the Marquess of Ormonde, K. P.*, new series, vol. VI. [1677-1685], ed. C. L. Falkiner and F. E. Ball; *Report on the Pepys Manuscripts preserved at Magdalene College, Cambridge* [papers which Pepys borrowed from John Evelyn], ed. E. K. Purnell.

Noteworthy articles in periodicals: F. H. M. Parker, *The Forest Laws and the Death of William Rufus* (English Historical Review, January); Miss L. B. Dibben, *Chancellor and Keeper of the Seal under Henry III.* (*ibid.*); J. P. Whitney, *The Elizabethan Reformation* (Quarterly Review, January); A. O. Meyer, *Der Toleranzgedanke im England der Stuarts* (Historische Zeitschrift, CVIII. 2); E. Dolléans, *L'Évolution du Chartisme*, V. (Revue de Synthèse Historique, December); Alexander Gray, *The Old Schools and Universities in Scotland* (Scottish Historical Review, January).

FRANCE

The new *Revue des Études Napoléoniennes*, edited by M. Édouard Driault, makes an admirable beginning with its number for January, 1912. Studies upon the period of both the first and the third Napoleon are to be embraced in its scope, though naturally the former will predominate. The editor, in the opening article, reviews the history of Napoleonic studies and publications. The unwearied M. Frédéric Masson follows with an article on "Le Comte de Montholon avant Sainte Hélène". M. René Schneider follows with a paper on the relation of the art of Canova to imperial France. Under the title "Souvenirs du Centenaire" the editor presents a running account of the events of January and February, 1812, with references to the sources and the modern literature. The section of documents is marked by large and interesting extracts from the correspondence of Czar Alexander I. with his sister, the Grand Duchess Catherine, recently published in Russia. One of the most useful portions of the contents is a careful survey of the literature of the internal political history of the First Empire, to be followed by similar bibliographical surveys in subsequent numbers. Excellence of contents seems guaranteed by the list of the supporting committee, which embraces most of the names, in France and in other countries, which are chiefly associated with Napoleonic studies.

Dr. W. Ganzenmüller supplies for the *Archiv für Kulturgeschichte*, IX. 3, a bibliographical review of the history of French civilization.

A decree of December 14, 1911, has subjected the Archives Nationales to a reorganization which seems to consist in forming three sec-

tions instead of four: one for the documents up to 1790, one for those after 1790, and one for administration and for departmental and communal archives. It does not seem probable that the changes will be of importance to investigators.

The managing committee of the Société d'Histoire de la Révolution has requested the Minister of Public Instruction to provide in the *écoles normales primaires* instruction by the departmental archivists in the nature, organization, and uses of the communal archives. A beginning had already been made in such instruction in 1911 by M. Camille Bloch in the École Normale of Saint-Cloud.

The manuscripts added to the historical library of the city of Paris in 1906-1910, about 350 in number, are described in a catalogue prepared by M. Gabriel Henriot (*Ville de Paris, Bulletin de la Bibliographie et des Travaux Historiques*, V., Impr. Nat., 1911, pp. 208).

Tome XLIV. of the *Catalogue Général des Manuscrits des Bibliothèques Publiques en France: Départements* (Paris, Plon-Nourrit, 1911, pp. 733) contains a catalogue of the Collection Mancel (at Caen, and very important for the history of that city and in some degree for Norman history in general), and a second supplement to the catalogue of the manuscripts of the library of Avignon, being the acquisitions of 1901-1909 (386 items).

The historical and archaeological activity of the south of France is well represented in a general review begun in the *Revue des Questions Historiques* for January by M. Édouard Albe under the title "Chronique du Midi de la France".

M. Pierre Champion, after many special publications relating to Duke Charles of Orleans and his period, has lately published a general *Vie de Charles d'Orléans, 1394-1465* (1911, pp. xv, 717), which on the basis of minute knowledge gives due attention to all the political and literary aspects of its subject.

Among the constantly increasing biographies of women an unusually interesting and scholarly one is that of *Margaret of France, Duchess of Savoy, 1523-1574*, by Miss Winifred Stephens (London, John Lane).

There has been added recently (after a long delay) to the *Recueil des Instructions* of French ambassadors before the Revolution a volume by Professor B. Auerbach embracing the material relative to the ambassadors to the Germanic Diet.

The Société de l'Histoire de France has agreed to a proposal from M. Jean Lemoine for publishing a collection of *Lettres de Louis XIV.*, embracing only the personal or cabinet letters of the monarch, for the first part of his reign, down to about 1685.

The Yale University Press will shortly issue a volume on *Colbert's West India Policy*, the fruit of several years' researches in the French archives, by Mr. Stewart L. Mims.

The Minister of Public Instruction, on the recommendation of the Commission des Missions, has entrusted to M. Fernand Caussy the task of making a study of the manuscripts and library of Voltaire, now preserved at St. Petersburg. A similar study has been made of the Diderot material, also at St. Petersburg, by M. Maurice Tourneux.

E. Leroux, of Paris, publishes in the *Bibliothèque d'Histoire Révolutionnaire*, of which M. Albert Mathiez is editor, a study by François Vermale entitled *Les Classes Rurales en Savoie au XVIII^e Siècle* (1911, pp. 327). The author has worked considerably in the French revolutionary field and aims in this volume to do for rural conditions in Savoy what was done by M. Henri Sée for the rural conditions of Brittany before the Revolution. The book is based mainly on departmental and private archives, is distinguished by the large amount of statistical material presented, and is marred by a very inadequate index. It will be of special interest as throwing light on a region of an intermediary character and thus aiding in the study of the relations between French and Italian conditions under the old régime.

Tome II. of Professor Maxime Kovalevsky's *La France Économique et Sociale à la Veille de la Révolution* is devoted to *Les Villes* (Paris, Girard and Brière, 1911, pp. 320).

MM. Édouard Cornély and Company have brought out a new edition of their valued list, *Les Ministères Français, 1780-1911*, corrected, and enlarged, by a useful history of the growth of the executive departments, to a pamphlet of 79 pages. This will be followed, in their "Série des Instruments de Travail", by a list of intendants of the provinces under the old régime. There has also appeared recently a volume which is in some degree complementary, H. Noël's *Les Ministères, leur Organisation, leur Rôle*.

The December session of the Commission d'Histoire Économique de la Révolution took up anew the matter of the publication of *cahiers* and decided that, as it would be impossible to publish all, only a few additional complete local collections would be added to those which are now in print, and which represent the chief sections of the country. For the remainder it has been decided to publish "répertoires . . . avec des extraits", showing what was original or not to be found elsewhere.

As an accompaniment to the publication of the first volume of the *Oeuvres Complètes* of Robespierre, E. Leroux publishes a volume entitled *Les Portraits de Robespierre: Étude Iconographique et Historique: Souvenirs, Documents, Témoignages*, by Hipp. Buffenoir (72 plates).

One of the most recent additions to the *Collection de Documents inédits sur l'Histoire Économique de la Révolution Française* is entitled *Procès-Verbaux et Rapports du Comité de Mendicité de la Constituante, 1790-1791*, and is edited by MM. Camille Bloch and A. Tuetey (Paris, Impr. Nat., 1911, pp. lx, 847). The work of this committee was of

remarkable quality. This volume now establishes the fact that this work was due mainly to the Duke of La Rochefoucauld-Liancourt, whose name was first in the original membership. Of the material here published the *Procès-Verbaux* have been up to the present time unpublished, but the *Rapports* are for the most part already printed (with variations) in the *Archives Parlementaires*. The editors have supplemented both classes of documents by additional documents from the scanty remains of the labors of the committee (most of whose voluminous archives have disappeared), and by copious notes. A full index is appended.

The important edition by M. Debidour of the *Recueil des Actes du Directoire Exécutif* has been advanced by the publication of volume II. from the 1st Germinal to the 15th Messidor an IV. The volume is provided with an index for both volumes.

An important section of the work of Sorel has already been subjected to a thorough revision by M. Raymond Guyot, the result having been recently submitted at the Sorbonne as a thesis for the doctorate. It is entitled *Le Directoire et la Paix de l'Europe du Traité de Bâle à la Deuxième Coalition* (Paris, 1911, pp. 956). The work is based largely on material not used by Sorel and it is said to seriously affect many of his conclusions. M. Guyot has also published *Documents Biographiques sur J. F. Reubell* (Paris, Berger-Levrault, 1911).

The *époque contemporaine* is the field of E. Driault's bibliographical bulletin of French history for the January-February issue of the *Revue Historique*.

The October number of the *Revue de Synthèse Historique* contains a general survey of the literature relative to French Protestantism in the nineteenth century, prepared by M. Georges Weill.

Plon, Nourrit, and Company, of Paris, have published *La Vie Politique de François de Chateaubriand*, by Albert Cassagne. The new edition of the *Oeuvres* of Chateaubriand is making steady progress.

Lieutenant-Colonel Picard follows up his work on the war of 1870 in Alsace by two volumes of accurate narrative and penetrating criticism entitled *1870: la Guerre en Lorraine* (Paris, Plon, 1911, pp. 334, 373).

At a recent meeting of the "Commission des Recherches sur l'Histoire de Paris pendant la Révolution et l'Époque Contemporaine" it was decided to recommend to the municipal council the publication of M. Tuety's *Répertoire* (continuation), of the *Procès-Verbaux* of the Commune of 1871, and of a new series of documents on Paris, 1794-1795, edited by P. Caron.

The Librairie Fasquelle, of Paris, has published the seventh and last volume of M. Jacques Reinach's detailed *Histoire de l'Affaire Dreyfus*. An index to the whole work is included.

Noteworthy articles in periodicals: E. Lesne, *Nicolas I. et les Libertés*

des Monastères des Gaules (Le Moyen Age, XXIV.); S. Canal, *Les Origines de l'Intendance de Bretagne* (Annales de Bretagne, XXVI. 4); A. Gans, *L'Organisation Financière du Clergé de France à l'Époque de Louis XIV.* (Revue d'Histoire Moderne et Contemporaine, November-December); M. de Ségur, *Au Couchant de la Monarchie: la Succession de Turgot* (Revue des Deux Mondes, January 15); Ph. Sagnac, *Les "Archives Parlementaires" et l'Histoire de la Révolution* (Revue d'Histoire Moderne et Contemporaine, January-February).

ITALY AND SPAIN

The most recent installment of Dr. L. M. Hartmann's authoritative *Geschichte Italiens im Mittelalter*, III. 2, *Die Anarchie* (Gotha, Perthes, 1911), deals with eighty years from the death of the emperor Louis II. in 875 to 955.

A recent book of both historic and literary interest is *L'Anglomania e l'Influsso Inglese in Italia nel Secolo XVIII.* (Turin, Loescher, 1911, pp. xxxiv, 431). Reference might be made also to Paul Hazard's *La Révolution Française et les Lettres Italiennes* (1789-1815), published by the same house in 1910.

The work of H. Weil on Joachim Murat was much facilitated by the use of the manuscript correspondence of Queen Marie-Caroline in the possession of the Marchesa Amalia di Somma Circello. This collection of letters has now been published under the joint editorship of M. Weil and the Marchese C. di Somma Circello under the title *Correspondance inédite de Marie-Caroline, Reine de Naples et de Sicile, avec le Marquis de Gallo* (Paris, Émile-Paul, 1911, two volumes, pp. cxii, 546, 678). The period covered is 1785-1806, and 1400 pieces are published in part or in summary.

Signor T. Palamenghi-Crispi has followed his volume of documents on his uncle's part in the expedition to Sicily by *Giuseppe Mazzini: Epistolario Inedito, 1836-1864* (Milan, Treves). Still another book on the Risorgimento is *Memorie del Risorgimento dal 1848 al 1862* (Milan, Cogliati), by Giovanni Cadolini, who joined the volunteers in his native town, Cremona, in 1848 when he was but seventeen and served the cause of Italian freedom until the proclamation of unity in 1861.

Among the numerous contributions of the year to Italian history none is of greater importance than the volume of documents collected by Dr. G. E. Curatulo, *Vittorio Emanuele, Garibaldi, Cavour nei Fasti della Patria* (Bologna, Zanichelli). This volume, selected from a collection of documents which Dr. Curatulo has been gathering for years, deals chiefly with the preparations for Garibaldi's Sicilian expedition, and parts of it, as the correspondence between Victor Emmanuel and Garibaldi, are of unusual interest.

More recent Italian history is treated in *Cinquant' Anni di Storia*

Italiana (Milan, Hoepli) by a number of authors under the auspices of the Accademia dei Lincei, a volume which deals with economic and scientific progress in Italy as well as with political history from 1861 to 1910.

The first year's work of the historical section of the Junta para Ampliacion de Estudios has led toward the preparation of a *Colección de Documentos para la Historia de las Instituciones de León y Castilla*, edited by Don Eduardo de Hinojosa, containing cartularies of the Order of Santiago and of a variety of municipalities. The mission of seven members sent by the Junta to Rome has been framing an inventory of documents relating to the history of Spain before the fourteenth century, listing documents in the Nunziatura di Spagna, indexing the registers of Calixtus III. and Alexander VI., and cataloguing various Spanish manuscripts.

A large variety of interesting work by foreigners has been going on during the present year in the Archives of the Indies. Besides the briefer and more casual labors of individual American and other students pursuing tasks of their own, Father Pablo Pastells is continuously laboring for the Society of Jesus upon the documents for its history in Spanish America. Fray Enrique Vacas Galindo, a Dominican of Ecuador, Señor Gaspar Viñas of the Biblioteca Nacional of Buenos Aires, Señor Rómulo Cardia of the Archivo General of Argentina, Señor Carlos Travieso of Uruguay, and Señor Americo Lugo of the Dominican Republic have, as official agents, been collecting documentary materials for the history of their respective countries, while Dr. Rudolfo R. Schuller, at the instance of the Biblioteca Nacional of Rio Janeiro and the Museu Goeldi of Pará, has been completing his studies regarding the legend of El Dorado and the discovery of the Amazon. The work of Mr. Roscoe H. Hill for the Carnegie Institution of Washington has been elsewhere described.

Noteworthy articles in periodicals: H. Nelson Gay, *Fifty Years of Italian Independence: from Naples to Tripoli* (The Nineteenth Century and After, January).

GERMANY, AUSTRIA, AND SWITZERLAND

Professor A. Riese will shortly publish with Teubner, of Leipzig, a work entitled *Das Rheinische Germanien in den Inschriften*; it is designed as a companion study to the same author's *Das Rheinische Germanien in der Antiken Literatur*. It will be for the most part a reproduction of the inscriptions with but few notes and with full indexes.

M. Johannes Hoops has published the first volume of a *Reallexikon der Germanischen Altertumskunde* (Strassburg, Trübner).

The latest issues in Brandenburg and Seeliger's *Quellensammlung zur Deutschen Geschichte* are edited by Mario Krammer under the title

Quellen zur Geschichte der Deutschen Königswahl und des Kurfürstenkollegs.

A new controversy as to the relative territorial establishment of Teutons and Slavs was excited in 1907 by an article by Kühnel in the *Forschungen zur Geschichte Niedersachsens*. One of the disputants, W. Ohnesorge, has now published (Leipzig, Lübeck and Nöhring) a volume entitled *Ausbreitung und Ende der Slawen zwischen Nieder-Elbe und Oder* (1911, pp. 404). In this he contends that the Slavs were not driven out, but that after withstanding the German and Danish onslaughts of the later twelfth and early thirteenth centuries they were gradually assimilated by the Germans. The work appears to represent a thorough investigation of Slav remains in these regions.

Professor Albert Hauck's *Kirchengeschichte Deutschlands* (Leipzig, J. C. Hinrichs, 1911, pp. viii, 582) continues this standard narrative into the later Middle Ages, from 1250 to 1374.

An interesting fact with regard to the progress in the unearthing of documentary matter is presented through the recent publication of a supplementary volume to the first Halbband of the *Dortmunder Urkundenbuch*, published in 1880 and coming down to 1340. The new *Ergänzungsband I.*, edited by Dr. Karl Rübel, comes to 1350, contains 906 numbers, and is larger than the original volume (Dortmund, Verlag des Historischen Vereins, 1911, pp. vi, 511).

Among the numerous publications that result from the present great activity in the study of Luther the most noteworthy is probably the very detailed life from the distinguished Roman Catholic author, Hartmann Grisar, S.J., professor in the University of Innsbruck. All three volumes have now appeared (Herder, Freiburg i. B.). It has aroused much interest in Germany.

Heft 6 of the *Frankfurter Historische Forschungen* edited by Professor G. Kuntzel is entitled *Die Reichstage der Jahre 1544-1545*, and is the second part of Dr. Paul Heidrich's *Karl V. und die Deutschen Protestanten am Vorabend des Schmalkaldischen Krieges* (Frankfort, J. Baer and Company, 1912, pp. 161). Part I. dealt with the Reichstags of 1541-1543; the present installment traces the pushing on by Charles of the policy of repression to the point immediately preceding the opening of hostilities.

The publication of a collection of extracts from old German journals with special reference to Kulturgeschichte has been begun by E. Buchner under the title *Das Neueste von Gestern: kulturgeschichtlich interessante Dokumente aus alten Deutschen Zeitungen*, and Band I. has been issued, dealing with the sixteenth and seventeenth centuries. Four volumes are planned, to come through the eighteenth century (Munich, A. Langen, 1911, pp. xiv, 330).

Band XX. in the *Urkunden und Aktenstücke zur Geschichte des Kurfürsten Friedrich Wilhelms von Brandenburg* is Band IV. of *Auswärtige Akten* and deals at length with the relations with France, 1667-1688. It is edited by Dr. Ferdinand Fehling (Berlin, G. Reimer, 1911, pp. xiv, 1304).

A large number of items in the recent German catalogues bear witness to the wide interest in the second centenary of the birth of Frederick the Great, celebrated January 24. Very little of the output however seems noteworthy. Dr. George Schuster's *Geschichte des Preussischen Hofes* accommodates itself to the occasion by starting with the first part of Band II., this being a presentation by Dr. F. Arnheim of *Der Hof Friedrichs des Grossen*, though the section now published deals only with *Der Hof des Kronprinzen*. Some new letters of Frederick to the Duke of Brunswick in 1785 have been edited by H. Droysen (Berlin, J. A. Stargardt).

Heft 44 of the *Schriften des Vereins für die Geschichte Berlins* is Dr. R. Wolff's *Berliner geschriebene Zeitungen aus dem Jahre 1740: der Regierungsanfang Friedrichs des Grossen* (Berlin, Mittler and Son, 1911, pp. xxviii, 171).

Duncker and Humboldt, of Leipzig, issue among the publications of the Verein für die Geschichte in Ost- und Westpreussen a work by Paul Czygan entitled *Zur Geschichte der Tagesliteratur während der Freiheitskriege* (two volumes in three parts, pp. xv, 463; xvi, 475; xv, 384). There is also announced an *Illustrierte Geschichte der Befreiungskriege* by J. von Pflugk-Harttung, in 40 fascicles, to be published at Stuttgart.

The Burschenschaftliche Historische Kommission founded in 1909 has published, under the editorship of H. Haupt of Giessen, Band I. of *Quellen und Darstellungen zur Geschichte der Burschenschaft und der Deutschen Einheitsbewegung* (Heidelberg, K. Winter). Much progress has been made in the gathering of material in consequence of a systematic examination of the German archives, and a *Quellenrepertorium* is planned. The commission has also entrusted to P. Wentzke the task of writing a *Geschichte der Burschenschaft bis zu den Karlsbader Beschlüssen*, to be ready for the celebration planned for 1915, as also a *Sammlung von Lebensbildern bedeutender Burschenschaften*, by H. Haupt and P. Wentzke.

Dr. Ludwig von Pastor has published (Munich, Joseph Kösel, 1911, pp. 500) a *Leben des Freiherrn Max v. Gagern, 1810-1880: ein Beitrag zur politischen und kirchlichen Geschichte des 19ten Jahrhunderts*.

Herder, of Freiburg i. Br., has published volume I. of a *Geschichte des Kulturkampfes im Deutschen Reiche*, by Dr. J. W. Kissling. It is to be in three volumes and is published under the direction of the central committee for the "Generalversammlungen des Katholischen Deutschlands". This first volume furnishes a survey of the relations between

the Brandenburg-Prussian government and the papacy from the beginning of the seventeenth century and goes into the preliminaries of the nineteenth-century conflicts down to 1871 in Prussia, Bavaria, Baden, and Hesse. While great attention is at present being given to this subject we do not seem likely to be supplied for some time yet with a dispassionate and conclusive treatment.

In the *Inventare Oesterreichischer Staatlicher Archive* the Direction has published an *Inventar des Archives des k. k. Finanz-Ministeriums* (Vienna, Hof- und Staatsdruckerei, 1911, pp. 77).

A new book of considerable interest and importance is R. Kralik and H. Schlitter's *Wien: Geschichte der Kaiserstadt und ihrer Kultur* (Vienna, Holzhausen, 1912, pp. xviii, 751, with 555 illustrations).

Band IV. of Dierauer's *Geschichte der Schweizerischen Eidgenossenschaft* (pp. xviii, 551), takes the narrative to 1798. This is one of the issues in Lamprecht's *Geschichte der Europäischen Staaten* (Gotha, Perthes, 1912).

Noteworthy articles in periodicals: Fritz Kern, *Der Mittelalterliche Deutsche in Französischer Ansicht* (*Historische Zeitschrift*, CVIII. 2); Th. Ilgen, *Kritische Beiträge zur Rheinisch-Westfälischen Quellenkunde des Mittelalters*, V. (*Westdeutsche Zeitschrift für Geschichte und Kunst*, XXX. 2, 3); Ludwig Riess, *Was bedeutet "Data" und "Actum" in den Urkunden Heinrich's II.?* Ein Beitrag zur Methodik der Urkundenlehre (*Historische Vierteljahrsschrift*, XXII. 4); A. Hofmeister, *Studien über Otto v. Freising*, I. *Der Bildungsgang Ottos v. Freising* (*Neues Archiv*, XXXVII. 1); L. Cristiani, *Les Propos de Table de Luther*, II. (*Revue des Questions Historiques*, January); J. Loserth, *Ständische Beziehungen zwischen Böhmen und Innerösterreich im Zeitalter Ferdinands I.* (*Mitteilungen des Vereines für Geschichte der Deutschen in Böhmen*, L. 1); Otto Herrmann, *Der Feldzugsplan Friedrichs des Grossen für das Jahr 1758* (*Historische Vierteljahrsschrift*, XV. 1); A. Siebert, *Die Entwicklung der direkten Besteuerung in den Süddeutschen Bundesstaaten im letzten Jahrhundert* (*Zeitschrift für die gesamte Staatswissenschaft*, LXVIII. 1); W. E. Lindner, *Das Zollgesetz von 1818 und Handel und Industrie am Niederrhein* (*Westdeutsche Zeitschrift für Geschichte und Kunst*, XXX. 2, 3); P. Devinat, *Le Mouvement Constitutionnel en Prusse de 1840 à 1847; Frédéric-Guillaume IV. et les Diètes Provinciales*, III., IV. (*Revue Historique*, January-April); W. Alter, *Die auswärtige Politik der Ungarischen Revolution, 1848-1849* (*Deutsche Rundschau*, January); G. v. Below, *Die Anfänge einer Konservativen Partei in Preussen* (*Internationale Wochenschrift*, 35, 36); M. Georges Goyau, *Bismarck et la Papauté: La Paix, 1878-1889* (*Revue des Deux Mondes*, February 1).

NETHERLANDS AND BELGIUM

The *Geschiedkundige Atlas van Nederland*, prepared during several years past by a learned commission of which the chairman is Professor Blok, has now begun to be issued from the press (the Hague, Nijhoff), the first fascicle containing sheets for the map of the Republic in 1795. The *Atlas* will appear in ninety fascicles, six or eight per annum, of chromo-lithographic maps, each plate about 16 inches by 10. It will extend from the Roman period to the present time, will indicate political, ecclesiastical, legal, and to some extent economic data, and will doubtless represent a very high level of excellence in historical cartography.

The *Nederlandsche Archief voor Kerkgeschiedenis* (IX. 1) contains a full account by Dr. Johannes de Hullu of the Walloon church at Cadzand, 1686-1809, the charter of the Confraternity of Our Lady at Hertogenbosch (1318), and other matters.

Professor P. J. Blok has brought out (the Hague, Nijhoff) a new and completely revised edition of his *Geschiedenis eener Hollandsche Stad* [Leyden] in de *Middelceeuwen*, first published in 1888. The new work contains much additional material and is carefully adapted to the present state of knowledge of municipal history.

Messrs. Putnam are bringing out in March the fifth and final volume of Professor Blok's *History of the Netherlands*, translated by Mr. O. A. Bierstadt.

The Linschoten Society has just published for 1911, as its fourth volume, *De Reis van Mr. Jacob Roggeveen ter Ontdekking van het Zuidland, 1721-1722*, a collection of documents illustrating the history of that voyage and of the preceding plans of discovery made in 1675-1676 by Arend Roggeveen. The book (the Hague, Nijhoff, pp. xxvii, 331) is edited by Baron Mulert and is accompanied by an appendix on Roggeveen's observations of the variation of the compass, by Dr. W. van Bemmelen.

In commemoration of the twenty-fifth anniversary of Professor Henri Pirenne's accession to the chair of history in the University of Ghent it is proposed to show appreciation of his distinguished services to the cause of history in Belgium by instituting a Fondation Pirenne, the income of which shall be used to send young Belgian scholars upon historical missions in foreign countries. The chairman of the organizing committee is Professor Paul Fredericq of Ghent, to whom subscriptions may be sent.

Messrs. B. van Oest and Company of Brussels have just issued an *Album Historique de la Belgique* prepared by Professor H. Van der Linden of Liège and Dr. H. Obreen with an introduction by Professor Henri Pirenne. The collection includes 250 reproductions of monu-

ments, paintings, statues, and other works of art illustrating the history of Belgium.

The Commission Royale d'Histoire has issued a stout first volume (Brussels, Kiessling, 1911, pp. clxxxviii, 524) of an *Inventaire Analytique des Chartes de la Collégiale de Sainte-Croix à Liège*, by M. Édouard Poncelet, archivist at Mons. Most of the documents described in the volume are of the fourteenth century.

Paul Duchaine's *La Franc-maçonnerie Belge au XVIII^e Siècle* (Brussels, Van Fleteren, 1911, pp. 523) will be a welcome addition in a field still much in need of scientific work.

NORTHERN AND EASTERN EUROPE

Among the Scandinavian books of the season especial interest attaches to the edition of the collected works of Professor J. E. Sars, of Christiania, the veteran scholar and writer, whose monographs and general histories have illustrated most portions of Norwegian history.

The Commission for the Sources of Norwegian History has during the past two years been publishing important material in the collection entitled *Aktstykker til de Norske Støndermoeters Historie*, dealing particularly with the later sixteenth century.

A general review by G. Gautier of the publications of 1910 in the field of Russian history appears in the *Revue Historique* for January-February.

There has been established at St. Petersburg under the direction of M. Reau, professor at the University of Nancy, an Institut Français, intended to be a centre for higher instruction in French history and French literature and for Slavic studies. The Institute will undertake the publication of a *Bibliothèque* and the work of French students in Russia will be facilitated in various ways.

Professor V. O. Kliuchevsky's *History of Russia*, stated by the *Russian Review* to be the latest and best general history of Russia which we have, is now made accessible to English readers, with some abridgment in parts, in a translation by C. J. Hogarth (London, Dent, vol. I., 1911). Mr. Maurice Baring's *The Russian People* (London, Methuen, 1911) gives a good survey of Russian history based on the best Russian books, such as that of Kliuchevsky.

Michel Sokolnicki discusses in the January-February issue of the *Revue des Sciences Politiques* "Le Testament de Pierre le Grand: Origines d'un prétendu Document historique". As is well known the *Testament* was first published in the second edition (1812) of Lesur's *Les Progrès de la Puissance Russe*; the author of this article shows that the document was of Polish origin and that it first appeared in an *Aperçu sur la Russie* submitted by the Polish General Michel Sokolnicki (pre-

sumably an ancestor of the present writer) to the French Directory, October 19, 1797. It was presented by Sokolnicki as a summary of a document he had seen in the Russian archives; the present writer maintains that this was a fiction and that Sokolnicki had simply put into this form a long existing Polish tradition. No definite proof however is advanced on this point, nor for the further assertion that the Sokolnicki document was revised by Napoleon himself before being published by Lesur.

Some documents of particular interest for Russian administrative and moral conditions under Paul I. are published in the *Revue d'Histoire Diplomatique*, XXV. 4.

To commemorate the year 1812 the Russian state archives, under the direction of M. Sergei Goriainov, have undertaken the publication of a catalogue of all the Russian archive documents, more than 15,000 in number, which relate to the events of that year.

Otto Forst contributes to the *Mitteilungen des Institutes für Oesterreichische Geschichtsforschung*, XXXII. 4, a "critical bibliography of the Polish literature on genealogy" that will be of much wider use than the title might indicate.

Band IV. of N. Jorga's *Geschichte des Osmanischen Reiches* brings the narrative to 1774 (Gotha, Perthes, 1911, pp. xviii, 512).

Noteworthy articles in periodicals: Mme. Inna Lubimenko, *Les Marchands Anglais en Russie au XVI^e Siècle* (*Revue Historique*, January-February); P. Chasles, *M. Stolypine et le Mécanisme Constitutionnel de la Russie* (*Revue des Sciences Politiques*, January-February); Bernard Pares, *The New Land System in Russia* (*Russian Review*, January); Adam de Mokeevsky, *La Réforme Agraire en Russie* (*Revue des Deux Mondes*, January 15).

THE FAR EAST AND INDIA

The Johns Hopkins University Press will before long publish Dr. Charles O. Paullin's lectures on the Albert Shaw Foundation, on *The Diplomatic Activities of the American Navy in the Far East*.

The need for a good brief text on Japanese history seems to be met by a volume published recently by Ferdinand Dümmler of Berlin. It is the *Geschichte Japans* of Hisho Saito, apparently written in German (1912, pp. x, 262).

The Progress of Japan, 1853-1871, by Mr. John H. Gubbins, formerly of the Japanese consular service, is spoken of as the best account extant in any Western language of the constitutional history of Japan during the important period named.

Professor Frederick W. Williams of Yale has published in the China section of the *Journal of the Royal Asiatic Society* a "Journal of the

American Expedition to Tientsin and Peking, 1858-1859", by his father, Dr. S. Wells Williams, a document of much the same historical value as his journal of Commodore Perry's expedition to Japan, noticed in a previous number of this journal (XVI. 136).

AMERICA

GENERAL ITEMS

The Carnegie Institution of Washington has just published its *Guide to the Materials relating to United States History in the German State Archives* (pp. 352), by Professor M. D. Learned of the University of Pennsylvania. All galley-proofs of Professor Bolton's *Mexican Guide* have now been read. Proofs of volume I. of Professor Andrews's *Guide to the Materials for American History, to 1783, in the Public Record Office of Great Britain*, have been partly read. The manuscript of Messrs. Paxson and Paullin's volume for the period subsequent to 1783 has received its final preparation for the printer, and Mr. David W. Parker's *Guide to the Materials for United States History in Canadian Archives* has nearly reached that stage. The director of the Department of Historical Research will be in Europe during the summer.

A History of the Movement for a National Archive Building in Washington, presented by Senator Poindexter in connection with his bill (S. 5179) for the erection of such a structure, has been printed as *Senate Document no. 207*, 62 Cong., 2 sess. A hearing on the bill named took place on March 1, and the testimony has been printed.

By a recent modification of the orders hitherto governing the use of the archives of the Department of War, the Secretary of War has extended access to these archives to historical students properly accredited by state historical authorities or societies, or by the director of the Department of Historical Research in the Carnegie Institution of Washington.

A History of the American Nation, in nine volumes de luxe, by W. J. Jackman and others, has appeared in Chicago (K. Gaynor).

Among the recent accessions to the Division of Manuscripts in the Library of Congress are: papers of Admiral Andrew H. Foote, U. S. N., being journals of cruises, letter-books, and correspondence; a body of manuscripts relating to the activities of the Inquisition in Spanish America (mostly Mexican); ledgers and account-books, 1740-1796, of Edward Dixon, merchant, of Port Royal, Virginia, forty volumes; miscellaneous official papers of Spencer Compton, earl of Wilmington, relating to the American colonies, including the West Indies, 1675-1765; and about 150 additional Van Buren manuscripts, 1813-1862, including drafts of his autobiography and correspondence. The library is now provided with a photostat, by means of which it can supply photographic copies of manuscripts, maps, rare printed pieces, etc., at a very cheap rate.

The Weidmann firm in Berlin inaugurates a *Bibliothek der Amerikanischen Kulturgeschichte* by publishing, first, a German translation in two volumes of Senator Lodge's *George Washington* from the *American Statesmen* series, and secondly, *Die Amerikanische Literatur*, being the lectures delivered at Berlin a year ago by Professor C. Alphonso Smith as Roosevelt professor. The series is edited by Professor Nicholas Murray Butler and Professor Wilhelm Paszkowski.

Extending through the September and October numbers of the *Magazine of History* is an article by Mark Allen Candler on Bourbon County, Georgia, evidently compressed from "Papers relating to Bourbon County, Georgia, 1785-1786", which appeared in volume XV. (pp. 66-111, 297-353) of this journal. The compiler's statement that the correspondence referred to is in the archives of Georgia is misleading. Most of the story is drawn from letters found elsewhere. In the October number of the *Magazine* appears the concluding portion of the paper on Charles Sumner, by Professor George H. Haynes, and in the November number a paper of Rev. Dr. Daniel Goodwin on "Some early Rhode Island Libraries", read before the Rhode Island Historical Society. "The Story of a Regiment: the Second Dragoons", by W. B. Ruggles, is concluded in the November issue, and James N. Arnold's extracts from the *Providence Gazette* (1778-1780) continue.

In the January number of *Americana* J. C. Pumpelly discusses some questions concerning the battle near Bennington, Vermont; John R. Meader, continuing his "Little Wars of the Republic", recounts the story of John Brown's raid; and Alice G. Waldo continues her articles on the "Continental Agents in America in 1776-1777". The chapters of Brigham H. Roberts's "History of the Mormon Church" deal with the exodus of the Mormons from Illinois.

The President's Cabinet: Studies in the Origin, Formation, and Structure of an American Institution, by Dr. Henry Barrett Learned, has been issued by the Yale University Press and will be reviewed in an early number of this journal.

Professor Chester Lloyd Jones's *Readings on Parties and Elections in the United States* (New York, Macmillan, 1912, pp. xv, 354) is in the main composed of excerpts from good books describing the various aspects of present party organization, nominations, and problems; but a considerable number of well-chosen passages, sometimes from primary sources, sometimes from secondary materials, illustrate the historical development of the system.

The Territorial Basis of Government under the State Constitutions: Local Divisions and Rules for Legislative Apportionment (Columbia University Studies in History, Economics, and Public Law, vol. XL, no. 3, pp. 250), by A. Z. Reed, Ph.D., is an instructive analysis, historically treated, of local divisions in the states.

The American Jewish Historical Society held its twentieth annual meeting in Boston on February 11 and 12. Among the numerous papers presented the following are of especial interest: "The Correspondence of Jews with President Martin Van Buren", by A. M. Friedenberg; "Early Jewish Residents in Massachusetts", by L. M. Friedman; "Jews in the War of 1812", by Leon Hühner; "Twenty Years of the American Jewish Historical Society", by Dr. Cyrus Adler.

The Rev. Thomas Phelan contributes to the *Records of the American Catholic Historical Society* an article upon "Thomas Dongan, Catholic Colonial Governor of New York" (pp. 31), and Rev. E. I. Devitt one on "The Clergy List of 1819, Diocese of Baltimore". The documentary material of this number of the *Records* is the correspondence between Bishop Conwell of Philadelphia and Bishop Plessis of Quebec, 1821-1825, drawn from the archives of Quebec.

Attitude of American Courts in Labor Cases: a Study in Social Legislation (Columbia University Studies in History, Economics, and Public Law, vol. XLII., no. 108, pp. 400), by George Gorham Groat, Ph.D., is a timely effort to gather from the mass of court decisions on labor questions the elements that are of permanent value and bring them into relation with one another and with the vital conditions of present-day industrial life. Until the end of the first quarter of the nineteenth century labor disputes were seldom carried into court, and it was not until the last quarter of the century that such cases became really numerous. The decisions are studied in two general groups, those relating to union activities, such as the strike, the boycott, the black-list, etc., and those relating to legislation upon such subjects as the payment of wages and the hours of labor. It is the author's conclusion that even yet the decisions are greatly lacking in unity and harmony with one another, and that the courts have been too greatly influenced by the precedents set in decisions applicable to conditions that have passed away. Nevertheless there is a discernible tendency on the part of the courts to give more attention to actual present conditions and to adapt the law to these new conditions by reading new meanings into the phrases of constitutions.

The Closed Shop in American Trade Unions (Johns Hopkins University Studies, series XXIX., no. 3), by Frank T. Stockton, Ph.D., includes, besides an examination of the forms, mechanism, and social aspects of the closed shop, several chapters on the history of the closed-shop movement.

ITEMS ARRANGED IN CHRONOLOGICAL ORDER

The Linschoten Society has brought out the rare *Korte Historiae ende Journals Aentreyckeninge* of David Pietersz de Vries (the Hague, Nijhoff, 1911, pp. lii, 297), a source important for American history in the middle of the seventeenth century. The reprint has an excellent

introduction and notes by Dr. H. T. Colenbrander. Since the publication a copy of the original has been found, in the possession of Prince Roland Bonaparte, having two maps hitherto unknown in any copy. One of them represents the South or Delaware River, the other the coasts from New England to Virginia. They are said not to contain new data, but will be reproduced as an accompaniment to the recent edition.

Professor Oliver M. Dickerson's *American Colonial Government, 1696-1765: a Study of the British Board of Trade in its relation to the American Colonies, political, industrial and administrative*, based on the papers of the Board of Trade and other manuscripts in London, has just been issued by the Arthur H. Clark Company of Cleveland.

The American Revolution, 1760-1789, volume III. of Professor Edward Channing's *History of the United States*, is soon to be issued by the Macmillan Company.

The Department of State has published in pamphlet form a literal print of the Declaration of Independence, including the names of the signers.

The Yale Press proposes to print the diary kept in Philadelphia from 1793 to 1798 by Moreau de Saint-Méry.

The Maine Historical Society has received as a gift a journal kept by Lieutenant Alexander S. Wadsworth on the *President*, under Bainbridge and Barron, and on the *Constitution*, under Hull.

The January number of the *American Catholic Historical Researches* prints some correspondence between Bishop Cheverus of Boston and Bishop Plessis of Quebec, 1811-1816.

A Retrospect of Forty Years, 1825-1865 (Scribner), by William Allen Butler, is of interest to historical students principally for its chapters on the anti-slavery movement, although there are also interesting pictures of ante-bellum life in New York. The volume is edited by his daughter, Harriet Allen Butler.

Charles Scribner's Sons announce *The Abolition Crusade and its Consequences*, by Hilary A. Herbert, secretary of the Navy, 1893-1897, with a preface by Mr. James Ford Rhodes.

The Arthur H. Clark Company of Cleveland will shortly issue a work in one volume entitled *General W. T. Sherman as College President: a Collection of Letters, Documents, and other Material, chiefly from Private Sources, relating to the Life and Activities of General William Tecumseh Sherman, to the Early Years of the Louisiana State University, and to the Stirring Conditions existing in the South on the Eve of the Civil War, 1859-1861*, the documents having been collected and edited by Dr. Walter L. Fleming, professor of history in the Louisiana State University.

Houghton Mifflin Company have published this spring Gamaliel Bradford's *Lee the American*.

The Formation of the Republican Party as a National Political Organization, by G. S. P. Kleeberg, comes from the press of Moods Publishing Company.

The Macmillan Company have added to their *Special Campaign* series *The Campaign in Virginia and Maryland*, by E. W. Sheppard, and *The American War of Secession, 1863: Chancellorsville and Gettysburg*, by P. H. Dalbiac.

The War Letters of William Thompson Lusk (pp. 304) has been privately printed in New York. The writer of the letters was captain and assistant adjutant-general of volunteers in the Civil War, and afterwards a distinguished physician of New York. The letters begin in June, 1861, and end in August, 1863, and range from South Carolina to New York. The editor has elucidated the letters by occasional extracts from other writings. Preceding the letters are some memorials of Dr. Lusk, including a memoir by Dr. Austin Flint. There are several portraits.

The Siege of Charleston and the Operations on the South Atlantic Coast in the War among the States, by Major-General Samuel Jones, C. S. A., has been published by Neale. The story is from an unfinished manuscript left by General Jones, and is sent forth with a preface by his daughter, Miss Emily Read Jones.

Reminiscences of an Army Nurse during the Civil War, by Adelaide W. Smith, cover the experiences of five years in the Civil War hospitals (New York, Greaves Publishing Company).

A Confederate Surgeon's Letters to his Wife is by Spencer Glasgow Welch, surgeon of the Thirteenth South Carolina Volunteers (New York, Neale). The letters extend from May, 1862, to May, 1865, and are for the most part from the Virginia camps.

From the press of the Stone Printing and Manufacturing Company, Roanoke, Virginia, comes a volume bearing the title *The Immortal Six Hundred: a Story of Cruelty to Confederate Prisoners of War*, by J. O. Murray, "one of the six hundred". The book relates to imprisonment at Morris Island, South Carolina, and at Fort Pulaski, Georgia, and includes a diary, August 20, 1864, to June 5, 1865, kept by Captain A. M. Bedford.

Die Beziehung zwischen Deutschland und den Vereinigten Staaten während des Sezessionskrieges (pp. 93), by Dr. Ralph Lutz of Seattle, Washington, has been published (1911) in Heidelberg by Carl Winter. The book treats not of the diplomatic relations alone but also of those relations which were of an intellectual, economic, or personal character. The diplomatic relations between the United States and Germany were seldom in this period of the greatest moment, although during Bis-

marck's ministry questions concerning the performance of military service in the United States by German residents and in Germany by naturalized citizens who had returned to their native land rose to importance. Bismarck's personal relations to Americans as well as his official conduct are given prominence in the book. The study of the diplomatic phase of the subject is in the main limited to Prussia and the Hanse cities. About half the volume is concerned with setting forth public opinion in Germany upon various aspects of the war, particularly upon the question of slavery. The disposition manifested by the German population in the United States, the attitude of the German press, and also the expressions of publicists and historians receive considerable attention. Lastly, the author investigates, though briefly, the commercial relations between the two countries as affected by the war. In the preparation of the monograph a large variety of sources, both German and American, have been drawn upon, but the author's personal point of view regarding the war appears to have been determined more by the older than by the recent studies of that conflict.

The course of lectures delivered this April at the Johns Hopkins University upon the James Schouler endowment will be given by Dr. Schouler himself, his subject being the administration of President Andrew Johnson.

Mr. Charles Francis Adams has reprinted the articles on the pension system contributed by him to recent issues of the *World's Work*. The pamphlet bears the significant title *The Civil-War Pension Lack-of-System: a Four-thousand-million Record of Legislative Incompetence tending to general Political Corruption*. It is an able and trenchant exposition of the methods pursued in the pension business and of the forces underlying it.

Although at the time of his death John Bigelow had not finished his *Retrospections of an Active Life*, it is understood that material for the remaining volumes was left in such condition that it can be prepared for the press. This will be done by his son, Major John Bigelow, jr.

Mr. Herbert Croly, the author of *The Promise of American Life*, is preparing a life of the late Senator Hanna, which Macmillan will publish. The title will be: *Marcus Alonzo Hanna: his Life and Works*.

Sturgis and Walton Company have published *The Life Story of J. Pierpont Morgan*, by Carl Hovey.

LOCAL ITEMS, ARRANGED IN GEOGRAPHICAL ORDER

The New England History Teachers' Association, besides its report on *Historical Sources in Schools* (Macmillan, 1902) and its *Outline of the Study of American Civil Government* (Macmillan, 1910), is now preparing a similar syllabus on economics for short-term commercial and technical schools. The second edition of its *Catalogue of Historical Materials* (maps, models, illustrations, and similar aids for visualizing)

will be issued shortly and can be procured from Dr. M. L. Bonham of Simmons College, Boston, where the collection is exhibited. The association has just brought out two series of reproductions of significant historical portraits and scenes, the first dealing with the kings of England, the second with life at the court of Louis XIV. They are procurable at a low price from Miss Mabelle Moses, 19 Putnam Street, West Newton, Massachusetts. Other such sets are expected to follow.

The November serial of the Massachusetts Historical Society's *Proceedings* contains Mr. Charles Francis Adams's noteworthy paper on the Trent Affair, with a large mass of correspondence relating to that episode, extracted from the Adams manuscripts; also an interesting body of letters, 1827-1834, of Francis Baylies, prominent in Massachusetts politics at that time. The December issue has as its principal contents an incisive paper by Mr. Brooks Adams on the Seizure of the Laird Rams, and an account of Churchmen on the Pascataqua, 1650-1690, by Mr. Frank B. Sanborn. The main element in the January number is a paper on the Recall of John Quincy Adams in 1808, by Mr. Worthington C. Ford, accompanied by a group of letters written by James Lloyd, who supplanted Adams as senator, to John and John Quincy Adams, in 1815-1824.

In the January number of the *Essex Institute Historical Collections* is printed the Revolutionary journal of James Stevens of Andover, Massachusetts. The journal covers practically one year, beginning April 19, 1775, with the march to Lexington. The Salem town records printed in this number are for the years 1674-1677.

William Abbott has brought out an edition of Rev. Samuel Hopkins's *Historical Memoirs relating to the Housatunnuk Indians under the Ministry of the late Rev. Mr. John Sergeant*.

The Connecticut Historical Society has received from the Johnson family of Stratford a quantity of papers relating to the controversy between the colony of Connecticut and the tribes of Indians settled near Norwich, known as the "Mohegan Case". These manuscripts were among the papers of William Samuel Johnson, in 1767 the colony's special agent for the case in England. They include Indian deeds, letters, testimonies, copies of official documents, maps, and printed briefs.

The Champlain Tercentenary: Report of the New York Lake Champlain Tercentenary Commission, prepared by Henry Wayland Hill, LL.D., secretary of the commission (Albany, J. B. Lyon Company, 1911, pp. xiii, 534), is an elaborate history of the celebration, July 4 to 10, 1909, at Crown Point, Fort Ticonderoga, and other places on Lake Champlain, of the three-hundredth anniversary of the discovery of the lake. Among the addresses were: The Story of Lake Champlain, by Hamilton Wright Mabie, and The Iroquois and the Struggle for Amer-

ica, by Hon. Elihu Root. Included in an appendix are: Samuel Champlain and the Lake Champlain Tercentenary, an address delivered before the Vermont Historical Society on November 10, 1908, by Henry W. Hill; Episodes in the History of the Champlain Valley, and What Travellers said of the Champlain Valley, by Frank H. Severance.

The *Bulletin* of the New York Public Library for January contains (pp. 7-49) part I of a list of works relating to the West Indies possessed by the library.

The library of Columbia University has received by gift from the Johnson family of Stratford, Connecticut, a large mass of manuscripts, letters, and papers of Samuel Johnson, first president of King's College, including an autobiography, and accompanied by some papers of Myles Cooper, second president of the college, and of William Samuel Johnson, the third.

The Vassar Brothers Institute has published an *Account Book of a Country Store Keeper in the 18th Century at Poughkeepsie* (pp. 122), preserved among the papers in the office of the clerk of Dutchess County, New York. The records, extending from 1735 to 1755, are mostly in English but partly in Dutch and embody besides ordinary accounts of debit and credit, which are of interest for the light which they cast upon the life of the time, curious comments upon the lives and characters of people with whom the storekeeper had dealings, as well as upon his transactions.

The *Pennsylvania Magazine of History and Biography* begins in the January issue the publication of a journal kept by William Logan of a journey from Philadelphia to Georgia in 1745. The *Magazine* also presents an English translation, by Adam J. Strohm, of the dedication and preface of the first Swedish edition (1753) of Peter Kalm's *Travels into North America*. This dedication and preface do not appear in the English translations of that work, and the preface is of especial interest as explaining the purposes of the journey and the means by which it was accomplished. Mr. Charles Henry Hart writes a biographical account of Robert Lettis Hooper, deputy quartermaster-general of the Continental army and vice-president of New Jersey. Professor Edward R. Turner gives a history of the first abolition society of the United States, that organized at Philadelphia on April 14, 1775.

Beginning with January, 1912, the *Pennsylvania-German* becomes the *Penn Germania* and hopes to widen its circle of acquaintanceship by becoming a "popular" monthly journal for and about the German element of the United States". The historical feature of the magazine retains prominence. Historical articles in the January number are: "A Vindication of Francis Daniel Pastorius", by H. A. Ratterman; "Genesis, Evolution, and Adoption of the Public School System of

Pennsylvania", by Christopher Heydrick, LL.D.; and a fourth paper on the Germans of Maine, by Garret W. Thompson. The two writers last mentioned continue their studies in the February number.

Mr. E. P. Oberholtzer's *Philadelphia: a History of the City and its People*, in four volumes, has come from the press (Philadelphia, S. J. Clarke).

Provided the advance subscriptions should be sufficient to defray the cost of the enterprise Messrs. Lippincott purpose publishing a limited edition de luxe of a volume entitled *The Colonial Homes of Philadelphia and its Neighborhood*, by H. D. Eberlein and H. M. Lippincott.

The Maryland Historical Society has received from the government at Annapolis a large mass of executive papers covering the period from 1776 to 1867. These are being gradually classified and calendared, and the more important ones are being copied for publication in the *Maryland Historical Magazine*.

The *Maryland Historical Magazine* is reprinting (beginning with the December number) Daniel Dulany's *Considerations on the Propriety of Imposing Taxes on the British Colonies*, a pamphlet which appeared in October, 1765, at the moment when the Stamp Act Congress was in session. Among the other contents of this number of the *Magazine* are the vestry proceedings of St. Ann's Parish, Annapolis, 1712-1719, and some letters from John and Robert Wilmot, Maryland pioneers in Kentucky, 1789-1793.

Part I. of *Old Manors in the Colony of Maryland*, by Mrs. Annie M. L. Sioussat, has been brought out in a pamphlet by the Lord Baltimore Press.

Longmans have brought out a *History of the Protestant Episcopal Church in the Confederate States*, by Bishop Joseph B. Cheshire, of North Carolina. The book is concerned with matters affecting the general interests of the church in the South in the years 1861-1866.

General Officers of the Confederate Army; Officers of the Executive Departments of the Confederate States; Members of the Confederate Congress by States, compiled by General Marcus J. Wright, has been issued by Neale.

Rev. Henry A. White's *Southern Presbyterian Leaders*, which was published recently by Neale, covers the history of Presbyterianism in the South from 1683 to the present time.

The January issue of the *Bulletin* of the Virginia State Library comprises a full index to Stith's *History of Virginia*, prepared by Mr. Morgan P. Robinson. The library has just published another volume of the *Journals of the House of Burgesses* (pp. lii, 441), covering the sessions of 1712 to 1726 inclusive.

In the January number of the *Virginia Magazine of History and*

Biography appear several letters of Governor William Berkeley, 1670-1671, and also some letters of Thomas Ludwell, 1671, one of the latter relating to the "new Patent for the land between the Rappahannock and potomeck rivers". An installment of a bibliography of the muster and pay rolls, regimental histories, etc., of Virginia's soldiers in the Revolution, with explanatory notes by C. A. Flagg and W. O. Waters of the Library of Congress, occupies 17 pages of the magazine.

The contents of the January number of the *William and Mary College Quarterly* include some letters of John Dandridge to John Hopkins (1787 to 1798) pertaining to business and personal matters; portions of the diary of Colonel Landon Carter (June and July, 1776), largely concerning plantation affairs but also touching politics and war; and a letter, dated April 26, 1832, from John Floyd, governor of Virginia, to Thomas W. Gilmer, concerning the political situation.

Mr. W. G. Stanard has brought out through the Bell Book and Stationery Company of Richmond the memoranda which he has gathered in regard to several hundred emigrants to Virginia during the colonial period whose parentage is shown or former residence indicated by authentic records. The title is *Some Emigrants to Virginia* (pp. 79).

Captain John H. Grabill of Woodstock, Virginia, has recently reprinted the second edition (Woodstock, 1850) of Samuel Kercheval's *History of the Valley of Virginia*.

The *Publications* of the North Carolina Historical Commission, *Bulletin no. 11*, embodies the proceedings of the eleventh and twelfth annual sessions (January 12, and November 27-28, 1911) of the State Literary and Historical Association (pp. 137). A noteworthy feature of the eleventh annual session was an address by Thomas J. Jarvis, former governor of the state. The address was primarily an appeal for the proper preservation of the state's records. Three addresses at the twelfth annual session deserve mention: "The Constitution and its Makers", by Hon. Henry Cabot Lodge; "Historical Activities in North Carolina", by R. D. W. Connor; and "What should a State History for the Public Schools contain?", by Professor C. Alphonso Smith. Dr. D. H. Hill furnishes (pp. 29-31, 98-99) a bibliography of North Carolina books for the years 1911 and 1912.

The contents of the *North Carolina Booklet* for January include an entertaining address on "Sir Walter Raleigh and his Associates", by R. D. W. Connor, a sketch of Benjamin Smith, governor of North Carolina, 1810-1812, by Collier Cobb, and "The Story of Queen's College or Liberty Hall in the Province of North Carolina", by Marshall Delancey Haywood. The last-mentioned article is an account of the efforts to found a college at Charlotte just prior to the Revolution.

The North Carolina Historical Commission has in press a volume of

the correspondence, public papers, and historical and miscellaneous articles of the North Carolina jurist, Archibald Debow Murphey (1777-1832), compiled and edited by William H. Hoyt.

Volume XI, no. 1, of *The James Sprunt Historical Publications* is a study of county government in colonial North Carolina, by W. C. Guess.

Mr. Theodore D. Jervey contributes to the October number of the *South Carolina Historical and Genealogical Magazine* a statement (pp. 8) concerning the white indentured servants of South Carolina. The register of St. Andrews Parish, Berkeley County, South Carolina, edited by Miss Mabel L. Webber, is brought down to the year 1725, and Grimké's "Journal of the Campaign to the Southward" is concluded.

The Georgia Historical Society has published a history of the erection and dedication of the monument to General James Edward Oglethorpe, which was unveiled in Savannah on November 23, 1910. The volume is given place among the society's *Collections* as volume VII, part 2.

Professor E. D. Adams contributes to the January number of the *Quarterly of the Texas State Historical Association* an installment of British correspondence concerning Texas, 1837-1842. The letters here presented are largely those of Charles Elliot, British chargé d'affaires, and William Kennedy, consul at Galveston, but there are also valuable accounts of Texan affairs from other hands, among them letters (1837) of Joseph T. Crawford, vice-consul at Tampico. Future numbers of the *Quarterly* will print the correspondence to 1846. Other contributions to this number are "The Texan Declaration of Causes for taking up Arms against Mexico", by Eugene C. Barker, and "Missionary Activities among the Eastern Apaches previous to the Founding of the San Saba Mission" (1718-1755), by W. E. Dunn.

The Arthur H. Clark Company have issued *The Constitutions of Ohio, Amendments, and Proposed Amendments*, by I. F. Patterson. The book includes, besides the documents of a constitutional sort, the records of votes cast, contemporary newspaper comment, with other historical data and detailed comparisons and an historical introduction. The material extends from 1787 to 1911.

The Civil War Literature of Ohio: a Bibliography, with explanatory notes, by Daniel J. Ryan, has been brought out by the Burrows Brothers Company.

The *Indiana Quarterly Magazine of History* for December contains an historical sketch of Irvington, Indiana, by Vida T. Cottman, and some reminiscences of Judge Fabius M. Finch pertaining to pioneer conditions in the region of Indianapolis about 1820.

The annual meeting of the Illinois State Historical Society will be

held in Springfield, May 23-24. The programme, as now arranged, provides for an address by Professor W. E. Dodd of the University of Chicago on The West and the War with Mexico and for papers by Professor F. I. Herriott of Drake University on Douglas and the Germans in 1854, by Professor Quaife of Lewis Institute on the French Fort at Chicago, by Mr. H. W. Lee on the Calumet Portage, by Professor C. M. Thompson of the University of Illinois on the Whig Party in Illinois, by Professor Charles B. Johnson on Educational Opportunities and Everyday Life in Illinois in the Middle of the Nineteenth Century, by Professor Senning on Sectionalism and the Convention of 1824, by Mrs. Minnie G. Cook on the Economic Relation of the Illinois to the Revolution, and by Mr. M. L. Fuller of Milwaukee on Early Weather Conditions.

The *Journal of the Illinois State Historical Society* for January has as its leading article "A Case under an Illinois Black Law", by J. N. Gridley, a history of the case of Henry Clay, a negro who was prosecuted in 1862 under the act of 1853 to prevent the immigration of free negroes into the state. Rev. W. M. Butler describes some historic sites and scenes in Randolph County, Illinois. There are several other articles of local interest.

R. R. Donnelley and Sons Company have brought out among the "Lakeside Classics" *The Autobiography of Gurdon Saltonstall Hubbard* (pp. 182), with an introduction by Miss Caroline M. McIlvaine, librarian of the Chicago Historical Society. Gurdon S. Hubbard was born in Vermont in 1802, and at the age of sixteen joined an expedition sent out by the American Fur Company from Montreal, where his father then resided, came to Fort Dearborn a few months later, and in 1824 was placed in charge of the company's Illinois trading posts. In 1828 he bought out the company's entire interests in Illinois. In 1834 he took up his residence permanently in Chicago, and until his death in 1886 was prominently identified with the business life of the city, being its first great packer. Hubbard's life story as told by himself reaches only to the year 1830, and only a brief sketch of his subsequent career is given by the editor of the volume. Brief in point of time as it is, however, covering a period of only twelve years, the story is of great value for its vivid picture of the life of a fur-trader, and embodies several thrilling narratives.

The report of the librarian of the Illinois State Historical Library, included in the *Biennial Report* (1908-1910) of the board of trustees of that institution, gives a summary description of the manuscript collections in the library.

Mr. A. C. Quisenberry contributes to the January number of the *Register of the Kentucky State Historical Society* two petitions of Kentucky pioneers to the Continental Congress, the one read in Congress on August 23, 1780, the other probably presented in 1783. The peti-

tions are in the Library of Congress. Other articles in the *Register* are a sketch of James Guthrie, by George Baber, and one of Henry Clay, including material concerning the Clay family, by Z. F. Smith.

The Kentucky State Historical Society has published in pamphlet form a paper by Alfred Pirtle on *The Chenoweth Family Massacre*, which occurred near Louisville in 1789. Included in the pamphlet are the two petitions printed also in the *Register of the Kentucky State Historical Society* for January. It is evident that in the list of names as here printed there are numerous errors, even by no other comparison than with the list as printed in the *Register*.

The Indian Tribes of the Upper Mississippi Valley and Region of the Great Lakes, recently published by the Arthur H. Clark Company, includes the *Mémoire* of Nicolas Perrot, the *Histoire* of Bacqueville de la Potherie, both accounts written in the early eighteenth century, the report of Lieutenant-Major Morrell Marston (1820), and the report of Thomas Forsyth (1827), the last two being printed from manuscript. The French accounts are translated and the whole is edited and annotated by the late Miss Emma Helen Blair, who has provided also a bibliography and an index.

The Wisconsin State Historical Society will shortly publish a revised list of its newspapers, bringing down to date the *Annotated Catalogue* published in 1898.

The State Historical Society of Iowa has in press a *History of the Election of United States Senators in Iowa*, by Dr. Dan E. Clark, and a *History of the Hollanders in Iowa*, by Mr. Jacob Van der Zee.

In the *Iowa Biographical* series there has just been issued a volume entitled *George W. Jones*, including a biographical sketch by Dr. John C. Parish, and an autobiography and body of personal reminiscences of which the manuscript was preserved by a daughter of Jones still living in Dubuque.

The *Iowa Journal of History and Politics* for January contains Mr. Clifford Powell's second paper (pp. 69) on the codes of Iowa law, giving the history of the code of 1851. From the *Journal of American Folk Lore* (April-June, 1911) are reprinted (pp. 70-112) the notes on the Fox Indians by William Jones, who was murdered while making some explorations in the Philippines.

The number of the *Annals of Iowa* for January, 1911, which appears one year behind time, is a memorial number to Rev. William Salter, prominent in the life and history of Iowa from 1843 to 1910, author of a *Life of James W. Grimes* and of *The First Free State in the Louisiana Purchase* and of numerous historical articles.

The Missouri Historical Society Collections, volume III., number 4, contains much interesting matter pertaining to the history of St. Louis.

The fragmentary journal of Colonel Auguste Chouteau, relating to the founding of St. Louis, is published both in the original French and in an English translation. The translation is reprinted from the *Twelfth Annual Report* (1858) of the St. Louis Mercantile Library Association. Mr. Walter B. Douglas continues his story of Manuel Lisa, which casts light on mercantile life in St. Louis in the early nineteenth century and incidentally reveals a good deal of personal history. The *Early Recollections of St. Louis* from the *Memoirs of an Old Citizen*, Major William Clark Kennerly, edited by his daughter, Mrs. D. R. Russell, pertain to St. Louis in the thirties and early forties. Charles A. Krone's *Recollections of an Old Actor* are continued.

In the *Missouri Historical Review* for January Floyd C. Shoemaker presents a brief study of the first constitution of Missouri, F. A. Sampson a bibliography of books of travel in Missouri, and Colonel J. F. Snyder tells briefly the story of the "Battle of Osawatimie", in which he was a participant.

We have received the *Report of the Arizona Historian* for the period, October, 1909, to December, 1911 (pp. 32). The historian has endeavored to collect printed works relating to the history of Arizona and has also travelled extensively over the territory gathering recollections of pioneers and other documentary materials pertaining to the region now included in the state of Arizona. The *Report* includes a catalogue of the manuscripts, maps, books, etc., in the custody of the historian.

Some years ago Mrs. Martha Summerhayes published a small volume entitled *Vanished Arizona: Recollections of the Army Life of a New England Woman*, in which she recounted her experiences, principally in Arizona and in the later seventies, as the wife of an army officer. As the edition was small and was soon exhausted, Mrs. Summerhayes has gone over the entire work, adding occasional incidents, together with some letters from friends who participated in some of the experiences, and has brought out a new edition of the book (The Salem Press). From beginning to end the book is full of genuine interest. Among the people who figure in the narrative is Frederic Remington the artist.

California: its History and Romance, by J. S. McGroarty, has appeared in Los Angeles, from the press of the Grafton Publishing Company.

Secession in California and the Man who defeated it is the title of a book by E. R. Kennedy, which will be published by Houghton.

The *Report of the Work of the Archives Branch for the Year 1910* (pp. 125), published by the archivist of the Dominion of Canada as an appendix to the Report of the Minister of Agriculture, presents a calendar of the contents of a large number of volumes of transcripts from England and France received during the year named; lists of transcripts of the correspondence of Sir Charles Bagot while minister to the United

States, 1816-1819, and while ambassador in Russia, 1820-1824; interesting summaries of Lady Durham's journal of 1838, of Charles Buller's sketch of Lord Durham's mission, of the journals and letters of Colonel Charles Grey, 1834, and of the letters addressed by Lord Elgin, when governor-general, to the third Earl Grey, his uncle by marriage, then secretary of state for the colonies; a list of papers of Colonel de Salaberry; and of other acquisitions. The typographical arrangement of the pamphlet is not always easy to follow. An interesting feature of the work of the archives is the appointment, under a scheme inaugurated by the Dominion government, of one student from each of the eight Canadian universities, to pursue historical researches at the archives, upon specific subjects, during the summer.

The Ontario Historical Society will hold its annual meeting on June 5-7, at Napanee, Ontario. A programme of especial excellence has been provided, most of the papers relating to the War of 1812. Among the papers may be mentioned: one on "An Episode of the American Fur Trade", by Dr. Reuben G. Thwaites of Wisconsin; one on Kingston's Share in the War of 1812, by Mr. George R. Dolan of that city; a review of the events of that war, by Mr. J. Castell Hopkins of Toronto, and of its results, by Mr. James H. Coyne of St. Thomas; a paper on the Effect of the War of 1812 on the Settlement of the Canadian West, by Mr. Lawrence J. Burpee of Ottawa; one on the Economic Effect of the War of 1812 on Upper Canada, by Professor Adam Shortt of Ottawa; and one on collections of historical material relating to that war, by Mr. Frank H. Severance of the Buffalo Historical Society. The last day will be occupied with a steamboat excursion on the Napanee River and Quinte Bay. Arrangements are in charge of Mr. Clarence M. Warner of Napanee.

Bulletin no. 2 of the departments of history and of political and economic science in Queen's University, Kingston, Ontario, Canada, is *Canada and the most favored Nation Treaties*, by O. D. Skelton. While the study is not primarily historical it embodies considerable historical matter.

Professor Cephas D. Allin, of the University of Minnesota, and Professor George Jones, of Toronto, have brought out through Musson of Toronto a volume on the relations between Canada and the United States entitled *Annexation, Preferential Trade, and Reciprocity*, which traces the agitations concerning these questions from 1837 to the present time.

The November-December number of the *Boletín del Archivo Nacional* (of Cuba) is occupied chiefly by a paper by the editor, Señor Antonio Miguel Alcover, on the founding of the port of Caibarién, in the province of Santa Clara. The history is told in the main through documents, which extend in date from 1794 to 1842.

The Scotsman in Canada, by Professor George Bryce of Winnipeg, (London, Sampson Low, two volumes) contains matter of both historical and biographical interest.

Major Luis Merino, at present military attaché of the Chilean legation in Tokio, and formerly professor of history in the Escuela Militar, Santiago, Chile, has just published two studies in the military history of the Chilean wars of independence that show him to be possessed of a remarkable grasp of the subject. His *Estudio Histórico-Militar acerca de las Campañas de la Independencia de Chile en el año 1818* was given a first prize in the recent competition for the best work on military history to be brought out during the centenary of Chile's independence. There are 225 pages of text and 200 of documents. The panoramic view of the battle-field of Maipú is very satisfactory, and the plans that accompany the volume give evidence of careful field study. Altogether this volume is a notable contribution to South American history. The second, republished from the *Anales* of the University of Chile, is an article on *El General San Martín en la Campaña de 1818* (pp. 25). While the author's point of view is distinctly that of a military officer, the German training which he, in common with the other officers of the Chilean army, has received as part of his education, combined with his historical instincts, has enabled him to produce an important addition to the all too scanty literature regarding San Martín.

Señor Pedro Torres Lanzas, director of the Archives of the Indies at Seville, is preparing a new edition of his *Relacion de Mapas, Planos, etc., del Virreinato de Buenos Aires, existentes en el Archivo General de Indias*, which it is expected will be published with numerous reproductions of maps.

Noteworthy articles in periodicals: Dr. Fridtjof Nansen, *The Norsemen in America* (Geographical Journal, December); R. Häpke, *Der erste Kolonisationsversuch in Kanada, 1541-1543* (Hansische Geschichtsblätter, 1911, 2); Gaillard Hunt, *Pelatah Webster and the Constitution* (The Nation, December 28); Capt. C. G. Calkins, U. S. N., *The Repression of Piracy in the West Indies, 1814-1825* (U. S. Naval Institute Proceedings, December); Morris Schaff, *The Sunset of the Confederacy*, I. (Atlantic Monthly, March); Frederic Bancroft, *Gideon Welles and his Diary* (The Nation, December 21); James Schouler, *President Johnson and Posterity* (The Bookman, January 19); Gaillard Hunt, *The History of the Department of State*, IX. (American Journal of International Law, January); C. O. Paullin, *The American Navy in the Orient in recent Years* (U. S. Naval Institute Proceedings, December); Winfield Scott Schley, *Admiral Schley's Own Story*, II. (Cosmopolitan, January); Robert M. La Follette, *Autobiography*, IV., V., VI. (American Magazine, January, February, March); R. P. Chiles, *The National Archives; Are They in Peril?* (American Review of Reviews, February).

